# A COLLECTION Of ſeveral ACTS OF PARLIAMENT,

Publiſhed in the Years

1648, 1649, 1650, and 1651.

Very uſeful, eſpecially for *Juſtices* of the *Peace*, and other *Officers* in the Execution of their Duties, and the Adminiſtration of JUSTICE.

VVith ſome Ordinances of Parliament of like concernment.

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Whereunto is added, ſeveral Acts of Parliament made in the 17th and 18th Years of the late King, and Ordinances touching Adventurers for *Ireland*.

Together with TABLES containing the Titles of the ſeveral *Acts* and *Ordinances*:

As alſo a TABLE or KALENDER of the principal Matters in them contained.

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By *Henry Scobell* Eſq; Clerk of the Parliament.

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*LONDON*,

Printed by JOHN FIELD, Printer to the Parliament of *England*, And are to be ſold by *W: Lee, D: Pakeman* and *G: Bedell*, at their Shops in *Fleet-ſtreet*. 1653.

A

# COLLECTION

Of Several

# ACTS

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# PARLIAMENT.

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Very useful especially for Magistrates of Towns, and other

Persons in the Execution of their Offices, and

the Administration of Justice.

With some Ordinances of Parliament

of like concernment.

## Thurſday the 12th of *February*, 1651.

*Ordered by the Parliament*,

THat it be referred to the Committee of Parliament, appointed by Order of the 21 of *July*, 1650. for the Collecting of the ſeveral *Statutes* and *Ordinances* of Parliament concerning Juſtices of Peace and the Adminiſtration of Juſtice, To give Order for the Printing of the Book now preſented to the Parliament, Entituled, *A Collection of ſeveral Acts of Parliament, publiſhed in the Years* 1648, 1649, 1650, and 1651. And that the ſame be not Printed nor Re-printed, but by the Order and Direction of that Committee.

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## Friday the 13th of *February*, 1651.

*At the Committee of Parliament for Collecting the ſeveral* Statutes *and* Ordinances *of Parliament, concerning Juſtices of the Peace and Adminiſtration of Juſtice.*

IN purſuance of the Order of Parliament above-written, It is Ordered by this Committee, That *Henry Scobell* Eſq; Clerk of the Parliament, by whoſe Induſtry and Care the *Statutes* and *Ordinances* in this Book (Entituled, *A Collection of ſeveral Acts of Parliament, publiſhed in the Years*, 1648, 1649, 1650, and 1651.) have been collected for the Publique uſe; Do take care of Printing the ſaid Book, for preventing the Inconveniences of Miſ-printing the ſame: And that no other perſon then ſuch Printer as he ſhall appoint, ſhall Print or Re-print the ſaid Book in the ſame or any other Character or Volumn, without the Order or Licenſe of this Committee.

*A. Garland.*

*B. Whitelock.* *Robert Reynolds.*
*John Liſle.* *Tho: Fell.*
*Edm. Prideaux.* *Gilbert Millington.*

# A Table of the Acts in 17, and 18. Caroli.


AN Act concerning the Limitation and Abbreviation of *Michaelmas* Term. Pag. 1

An Act for Regulating of the Privy Councel, and for taking away the Court commonly called the *Star-Chamber*. p. 8

An Act for Repeal of a Branch of a Statute *primo Elizabethæ*, concerning Commissioners for Ecclesiastical Causes. p. 17

An Act against divers Encroachments and Oppressions in the *Stannary* Courts. p. 21

An Act for the certainty of Forests, and of the Meers, Meets, Limits and Bounds of Forests. p. 28

An Act for the better Ordering and Regulating of the Office of Clerk of the Market allowed and confirmed by this Statute, and for the Reformation of false Weights and Measures. p. 34

An Act for the free bringing in of Gun-powder and Salt-peter from Foreign parts, and for the free making of Gun-powder in this Realm. p. 39

An Act for the speedy and effectual Reducing of the Rebels in his Majesties Kingdom of *Ireland* to their due Obedience to his Majesty and the Crown of *England*. p. 41

An Act for Adding unto and Explaining of certain Clauses in another Act made this Parliament, Entituled, *An Act for the speedy and effectual reducing of the Rebels in his Majesties Kingdom in* Ireland *to their due Obedience to his Majesty and the Crown of* England. p. 57

An Act to inable Corporations and Bodies Politique to participate of the benefit of an Act lately passed, Entituled, *An Act for the speedy and effectual Reducing of the Rebels in his Majesties Kingdom of* Ireland *to their due Obedience to his Majesty and the Crown of* England. p. 62

An Act for the further Advancement of an effectual and speedy Reducing of the Rebels in *Ireland* to the Obedience of his Majesty and the Crown of *England*. p. 65

An Ordinance or Declaration of the Lords and Commons Assembled in Parliament, for the encouragement of Adventurers to to make new Subscriptions for Towns, Cities and Lands in *Ireland*. p. 70

An Ordinance for the Securing of Thirty Thousand Pounds to Adventurers that shall Advance it. p. 81


Anno

# Anno xvii. Caroli Regis.

# AN ACT

CONCERNING

The Limitation and Abbreviation

OF

## Michaelmas Term.

Whereas the Term of Saint Michael, commonly called, Michaelmas Term, doth begin so soon after the feast of Saint Michael, that it is generally found to be very inconvenient to His Majesties Subjects, both Nobles and others, as well for the keeping of the quarter Sessions next after the feast of Saint Michael the Archangel,

angel, and the keeping of their Leets, Law-days, and Court-Barons, which they can by no means attend, in regard of the neceſſity of their coming to the ſaid Term, ſo ſpeedily after the feaſt of Saint Michael the Archangel, to appear upon Juries, and to follow their Cauſes and Suits in the Law, the ſame time being the chief time of all the year for the ſowing of land with Winter Corn, and for the diſpoſing and ſetting in order of all their Winter Husbandry and Buſineſs, and for the receiving and paying of Rents; and in many parts of this Kingdom Harveſt is ſeldom or never Inned till three Weeks after the ſaid feaſt,

Therefore the Kings moſt Excellent Majeſty, out of the Princely care that he hath of all his loving Subjects, having a ſpecial care to the increaſe and continuance of their Wealth and good eſtates, by the aſſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the authority of the ſame, Ordaineth, Enacteth and Eſtabliſheth, That in the ſaid Michaelmas Term there ſhall be ſix common days of Return onely, and not above, That is to ſay, The firſt day of Return thereof, ſhall be, and be called, A die Sancti Michaelis in tres Septimanas; The ſecond day of Return of the ſame Term, ſhall be, and be called, A die Sancti Michaelis in unum menſem; The third day of Return of the ſame Term, ſhall be, and be called, In craſtino Animarum; The fourth day of Return of the ſame Term, ſhall be, and be called, In craſtino Sancti Martini; The fifth day of Return of the ſame Term, ſhall be, and be called, In Octabis Sancti Martini; And the ſixth

day

day of Return of the ſaid Term, ſhall be, and be called, A die Sancti Martini in quindecim dies: And that the ſame days of Return ſhall be obſerved in all the high Courts of Record of our Soveraign Lord the King, his Heirs and Succeſſors hereafter, to be holden at Weſtminſter, or other place or places as the aſſignment or appointment of our Soveraign Lord the King, his Heirs and Succeſſors; And that from and after the feaſt of St. Michael the Archangel next coming, there ſhall not be, nor be called any days of Return In Octabis Sancti Michaelis, nor A die Sancti Michaelis in quindecim dies, nor either of them: And that the ſaid Term of Saint Michael yearly for ever, from and after the ſaid feaſt of Saint Michael the Archangel next coming, begin in and upon the ſaid Tres ſeptimanas Sancti Michaelis, whenſoever it ſhall happen to fall (except it be on the Lords day, commonly called Sunday, and then on the morrow next after) for the keeping of the Eſſoins, Proffers, Returns, and other Ceremonies, heretofore uſed and kept in like maner and form, as hath been uſed to be done in the day of the Return, commonly called Octabis Sancti Michaelis; and that the full Term of Saint Michael ſhall yearly for ever from and after the ſaid feaſt of Saint Michael next coming, in all the aforeſaid Courts of Record begin, and take his commencement upon the quarto die of the ſaid tres ſeptimanas S. Michaelis, and not before, as formerly it hath been uſed upon the quarto die of Octabis Sancti Michaelis, (except it be on the Lords day, commonly called Sunday, and then on the morrow next after.)

And be it further Enacted by the authority afore-

aforesaid, That if after the feast of Saint Michael the Archangel next coming, any Writ in any real Action other then Writs of Entry for common Recoveries, and Writs of Right of Advowson, and Writs of Dower, Unde nihil habet hereafter mentioned, come in, and be returnable in his Majesties Court of Common Pleas, in the day of Return of Tres septimanas Sancti Michaelis, then day shall be given In crastino Purificationis beatæ Mariæ; And if A die Sancti Michaelis in unum mensem, then in Octabis Purificationis beatæ Mariæ; if in Crastino Animarum, then in quindena Paschæ; if in Crastino Sancti Martini, then à die Paschæ in tres septimanas; if in Octabis Sancti Martini, then à die Paschæ in unum mensem; if in quindena Sancti Martini, then in quinque septimanas Paschæ; if in Octabis Sancti Hillarii, then in Crastino Ascensionis Domini; if in quindena Sancti Hillarii, then in Crastino Sanctæ Trinitatis; if in Crastino Purificationis beatæ Mariæ; then in Octabis Sanctæ Trinitatis; if in Octabis Purificationis beatæ Mariæ, then in quindena Sanctæ Trinitatis; if in quindena Paschæ, then à die Sanctæ Trinitatis in tres septimanas; if à die Paschæ in tres septimanas, then à die Sancti Michaelis in tres septimanas; if à die Paschæ in unum mensem, then à die Sancti Michaelis in unum mensem; if à die Paschæ in quinque septimanas, then in Crastino Animarum; if in Crastino Ascensionis Domini, then in Crastino Sancti Martini; if in Crastino S. Trinitatis, then in Octabis Sancti Martini; if in Octabis Sanctæ Trinitatis, then in quindena Sancti Martini; if in quindena Sanctæ Trinitatis, then in Octabis Sancti Hillarii; if à die Sanctæ Trinitatis in tres septimanas, then in quindena Sancti Hillarii.

And for the more speedy proceeding in Writs of Dower, and Writs of Entry for common

common Recoveries, to be sued and prosecuted by Writs of Entry, or Writs of right of Advowson; Be it further Enacted by the authority aforesaid, That if after the feast of Saint Michael the Archangel next coming, any Writ of Dower unde nihil habet, or any Writ of Entry whereupon a common Recovery is to be sued, or Writs of right of Advowson be returnable, à die Sancti Michaelis in tres septimanas, then a day shall be given in Octabis Sancti Martini; if à die Sancti Michaelis in unum mensem, then in quindena Sancti Martini; if in Crastino Animarum, then in Octabis Sancti Hillarii; if in Crastino Sancti Martini, then in quindena Sancti Hillarii; if in Octabis Sancti Martini, then in Crastino Purificationis beatæ Mariæ; if in quindena Sancti Martini, then in Octabis Purificationis beatæ Mariæ; if in Octabis Sancti Hillarii, then in quindena Paschæ; if in quindena Sancti Hillarii, then à die Paschæ in tres septimanas; if in Crastino Purificationis beatæ Mariæ, then à die Paschæ in unum mensem; if in Octabis Purificationis beatæ Mariæ, then à die Paschæ in quinque septimanas; if in quindena Paschæ, then in Crastino Ascensionis Domini; if à die Paschæ in tres septimanas, then in Crastino Sanctæ Trinitatis; if in mense Paschæ, then in Octabis Sanctæ Trinitatis; if in quinque septimanas Paschæ, then in quindena Sanctæ Trinitatis; if in Crastino Ascensionis Domini, then à die Sanctæ Trinitatis in tres septimanas, if in Crastino Sanctæ Trinitatis, then à die Sancti Michaelis in tres septimanas, if in Octabis Sanctæ Trinitatis, then à die Sancti Michaelis in unum mensem; if in quindena Sanctæ Trinitatis, then in Crastino Animarum; if à die Sanctæ Trinitatis in tres septimanas, then in Crastino Sancti Martini.

Provided nevertheless, and be it likewise

enacted by the authority aforesaid, That in all Writs of Dower, Unde nihil habet, after issue joyned, it shall not be needful or requisite to have above fifteen days betwixt the Teste and Return of the Venire facias, or any other Process to be sued out for the trial of the said issue; but that the Writ of Venire facias, and other Process after issue joyned, until judgement be given, having onely fifteen days between the Teste and Return thereof, shall be good and effectual in Law, as is used in personal Actions; Any Law, Statute or usage to the contrary heretofore notwithstanding.

And be it further Enacted by the Authority aforesaid, That from and after the feast of Saint Michael the Archangel now next coming, the said day of Return, called Crastino Ascensionis Domini, shall be a good and perfect Return, to all intents and purposes, as any other of the said days of Return before mentioned is or hath been used, notwithstanding there be not fifteen days between the quarto die of the said Return of Crastino Ascensionis Domini, and the Essoin day of the Return of Crastino Sanctæ Trinitatis.

And be it further Enacted, That all Writs and Process in personal Actions hereafter to be made, out of any of his Majesties said Courts at Westminster, and having day from tres Michaelis until crastino Animarum, shall be good and effectual in Law, notwithstanding there be not fifteen days betwixt the quarto die of the said tres septimanas Sancti Michaelis, and the days of Essoins of Crastino Animarum, Any Law, Statute or Usage to the contrary heretofore notwithstanding.

Provided allways, and be it further Enacted

ed

ed by the Authority aforesaid, That all Writs and Process to be made, from and after the feast of Easter, in the year of our Lord God, One thousand six hundred forty one, returnable in Octabis, or quindena Sancti Michaelis now next ensuing, or having days between any of the said Returns, shall by force of this Act have day unto tres septimanas Sancti Michaelis next, and the parties to the said Writs and Process shall then appear, and plead, and proceed thereupon, to all intents and purposes, as if the said Writs and Process had been made returnable à die Sancti Michaelis in tres septimanas.

And whereas before the making of this Act, all Writs of Summons ad Warrantizand. against the Vouchees upon common Recoveries had in Writs of Entry, and Writs of right of Advowson, were made for nine Returns inclusive; Now for the more speedy perfecting of such Recoveries, Be it Enacted by the Authority aforesaid, That from and after the said feast of Saint Michael the Archangel next, all and every such Writs of Summons ad Warrantizand. upon the appearance of the Tenant to every such Writ of Entry, and Writ of right of Advowson, shall and may be made, and abridged to five Returns, as Writs of Summons, ad Warrantizand. in Writs of Dower, Unde nihil habet, heretofore have been used and accustomed.

And it is further Enacted by the Authority aforesaid, That all common Writs and Process, as well personal as mixt, which shall fortune to be returnable in the said Michaelmas Term, shall have and keep the said Returns of A die Sancti Michaelis in tres septimanas, à die

Sancti

Sancti Michaelis in unum mensem, in Crastino Animarum, in Crastino Sancti Martini, in Octabis Sancti Martini, and à die Sancti Martini in quindecem dies, or any of them.

Provided always, and it is further Enacted by the Authority aforesaid, That in such and like Cases, and Process, as special days have been used to be appointed and assigned, and given for the returning of Writs and Process; It shall be lawful to the Justices of every of the Kings said Courts of Record, for the time being, in all the Process by them awarded, to assign and appoint special days of Returns, as by their discretions shall be thought convenient.

Provided also, and be it further Enacted by the Authority aforesaid, that the days in Assize of Darrein presentment, and in Plea of Quare impedit, limited and appointed by the Statute of Marlebridge, and also the days to be given in Attaint, limited in the Statute made in the fifth year of the raign of the Noble King Edward the third; And also in the Statute made in the three and twentieth year of the raign of the late King Henry the eighth of worthy memory, being not contrary to the tenours of this Act, shall be holden firm and stable, and shall stand in their full force and effect.

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## *Anno XVII. Caroli Regis.*

An Act for Regulating of the Privy-Councel, and for taking away the Court commonly called, *The Star-Chamber.*

Whereas by the Great Charter many times confirmed in Parliament, it is Enacted, That no Free-man shall be taken or imprisoned, or dissesed of his Free-

hold

hold, or Liberties or Free Customs, or be Outlawed or Exiled, otherwise destroyed; and that the King will not pass upon him or condemn him but by lawful Judgement of his Peers, or by the law of the Land: And by another Statute made in the Fifth year of the raign of King Edward the Third, It is enacted, That no man shall be attached by any accusation, nor forejudged of Life or Limb, nor his Lands, Tenements, Goods nor Chattels seised into the Kings hands against the form of the great Charter and the Law of the land: And by another Statute made in the Five and twentieth year of the raign of the same King Edward the Third, It is accorded, assented and established, That none shall be taken by Petition or Suggestion made to the King or to his Councel, unless it be by Indictment or Presentment of good and lawful people of the same Neighborhood where such deeds be done, in due manner, or by Process made by Writ original at the Common Law; and that none be put out of his Franchise or Free-hold, unless he be duly brought in to answer, and forejudged of the same by the course of the Law; and if any thing be done against the same, it shall be redressed and holden for none: And by another Statute made in the Eight and twentieth year of the raign of the same King Edward the Third, It is amongst other things Enacted, That no man of what estate or condition soever he be, shall be put out of his Lands or Tenements, nor taken, nor imprisoned, nor disinherited, without being brought in to answer by due Process of Law: And by another Statute made in the two and

fourtieth year of the raign of the said King Edward the Third, It is Enacted, That no man be put to answer without Presentment before Justices, or matter of Record, or by due Process and Writ original, according to the old Law of the land; and if any thing be done to the contrary, it shall be void in Law and holden for Error: And by another Statute made in the Six and thirtieth year of the same King Edward the Third, It is amongst other things Enacted, That all Pleas which shall be pleaded in any Courts before any the Kings Justices, or in his other places, or before any of his other Ministers, or in the Courts and places of any other Lords within the Realm, shall be entred and inrolled in Latine: And whereas by the Statute made in the third year of King Henry the Seventh, power is given to the Chancellor, the Lord Treasurer of England for the time being, and the Keeper of the Kings privy Seal, or two of them, calling unto them a Bishop and a Temporal Lord of the Kings most honorable Councel, and the two chief Justices of the Kings Bench and Common Pleas for the time being, or other two Justices in their absence to proceed as in that Act is expressed, for the punishment of some particular offences therein mentioned: And by the Statute made in the One and twentieth year of King Henry the Eighth, The President of the Councel is associated to joyn with the Lord Chancellor and other Judges in the said Statute of the Third of Henry the Seventh mentioned; But the said Judges have not kept themselves to the points limited by the said Statute, but have undertaken to punish

where no Law doth warrant, and to make Decrees for things having no such authority, and to inflict heavier punishments then by any Law is warranted.

And forasmuch as all matters examinable or determinable before the said Judges, or in the Court commonly called the Star Chamber, may have their proper remedy and redress, and their due punishment and correction by the Common Law of the Land, and in the ordinary course of Justice elsewhere; And forasmuch as the reasons and motives inducing the erection and continuance of that Court do now cease, and the Proceedings, Censures and Decrees of that Court, have by experience been found to be an intolerable burthen to the Subject, and the means to introduce an Arbitrary power and Government; And forasmuch as the Council-Table hath of late times assumed unto it self a Power to intermeddle in Civil causes and matters, onely of private interest between party and party, and have adventured to determine of the Estates and Liberties of the Subject, contrary to the Law of the Land, and the Rights and Priviledges of the Subject, by which great and manifold mischiefs and inconveniencies have arisen and happened, and much incertainty by means of such proceedings hath been conceived concerning mens rights and estates: For setling whereof, and preventing the like in time to come,

Be it Ordained and Enacted by Authority of this present Parliament, That the said Court commonly called the Star-Chamber, and all Jurisdiction, Power and Authority belonging

belonging unto, or exercised in the same Court, or by any the Judges, Officers or Ministers thereof, be from the First day of August, in the year of our Lord God, One thousand six hundred forty and one, clearly and absolutely dissolved, taken away and determined; and that from the said First day of August, neither the Lord Chancellor, or Keeper of the Great Seal of England, the Lord Treasurer of England, the Keeper of the Kings Privy-Seal, or President of the Council, nor any Bishop, Temporal Lord, Privy Councellor, or Judge or Justice whatsoever, shall have any Power or Authority to hear, examine or determine any matter or thing whatsoever in the said Court, commonly called the Star-Chamber, or to make, pronounce or deliver any Judgement, Sentence, Order or Decree, or to do any Judicial or Ministerial act in the said Court; And that all and every Act and Acts of Parliament, and all and every Article, clause and sentence in them and every of them, by which any Jurisdiction, Power or Authority is given, limited or appointed unto the said Court, commonly called the Star-Chamber, or unto all or any the Judges, Officers or Ministers thereof, or for any proceedings to be had or made in the said Court, or for any matter or thing to be drawn into question, examined or determined there, shall for so much as concerneth the said Court of Star-Chamber, and the Power and Authority thereby given unto it, be from the said First day of August repealed, and absolutely revoked and made void.

And be it likewise Enacted, That the like Jurisdiction now used and exercised in the

Court

Court before the President and Councel in the Marches of Wales, and also in the Court before the President and Councel established in the Northern parts; And also in the Court, commonly called the Court of the Dutchy of Lancaster, held before the Chancellor and Councel of that Court; And also in the Court of Exchequer of the County Palatine of Chester, held before the Chamberlain and Councel of that Court; The like Jurisdiction being exercised there, shall from the said First day of August, One thousand six hundred forty and one, be also repealed and absolutely revoked and made void, Any Law, Prescription, Custom or Usage; Or the said Statute made in the third year of King Henry the Seventh; Or the Statute made the One and twentieth of Henry the Eighth; Or any Act or Acts of Parliament heretofore had or made to the contrary thereof in any wise notwithstanding: And that from henceforth no Court, Councel or place of Judicature shall be Erected, Ordained, Constituted or Appointed within this Realm of England or Dominion of Wales, which shall have, use or exercise the same or the like Jurisdiction, as is or hath been used, practised or exercised in the said Court of Star-Chamber.

Be it likewise Declared and Enacted by Authority of this present Parliament, That neither his Majesty nor his Privy-Councel have, or ought to have any Jurisdiction, Power or Authority by English Bill, petition, Articles, Libel or any other Arbitrary way whatsoever, to examine or draw into question, determine or dispose of the Lands, Tenements, Hereditaments, Goods or Chat-

tels of any the Subjects of this Kingdom; But that the same ought to be tried and determined in the ordinary Courts of Justice, and by the ordinary course of the Law.

And be it further Provided and Enacted, That if any Lord Chancellor, or Keeper of the Great Seal of England, Lord Treasurer, Keeper of the Kings Privy Seal, President of the Councel, Bishop, Temporal Lord, Privy Councellor, Judge or Justice whatsoever, shall offend, or do any thing contrary to the purport, true intent and meaning of this Law, Then he or they shall for such offence forfeit the sum of five hundred pounds of lawful money of England unto any party grieved, his Executors or Administrators who shall really prosecute for the same, and first obtain Judgement thereupon, to be recorded in any Court of Record at Westminster, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction, or Order of restraint shall be in any wise prayed, granted or allowed, nor any more then one Imparlance. And if any person against whom any such Judgement or Recovery shall be had as aforesaid, shall after such Judgement or Recovery offend again in the same, then he or they for such offence shall forfeit the sum of one thousand pounds of lawful money of England unto any party grieved, his Executors or Administrators, who shall really prosecute for the same, and first obtain Judgement thereupon, to be recorded in any Court of Record at Westminster, by Action of Debt, Bill, Plaint or Information, in which no Essoin, Protection, Wager of Law, Aid, Prayer,

Prayer, Priviledge, Injunction or Order of Restraint shall be in any wise prayed, granted or allowed, nor any more then one Imparlance. And if any person against whom any such second Judgement or Recovery shall be had as aforesaid, shall after such Judgement or Recovery offend again in the same kind, and shall be thereof duly convicted, by Indictment, Information or any other lawful way or means, that such person so convicted shall be from thenceforth disabled, and become by vertue of this Act incapable, Ipso facto, to bear his and their said Office and Offices respectively; and shall be likewise disabled to make any Gift, Grant, Conveyance, or other disposition of any his Lands, Tenements, Hereditaments, Goods or Chattels, or to take any benefit of any Gift, Conveyance or Legacy to his own use.

And every person so offending shall likewise forfeit and lose unto the party grieved, by any thing done contrary to the true intent and meaning of this Law, his treble Damages, which he shall sustain and be put unto by means or occasion of any such Act or thing done, the same to be recovered in any of his Majesties Courts of Record at Westminster, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection, Wager of Law, Aid, Prayer, Priviledge, Injunction or Order of Restraint shall be in any wise prayed, granted or allowed, nor any more then one Imparlance.

And be it also Provided and Enacted, That if any person shall hereafter be committed, restrained of his liberty, or suffer imprisonment by the Order or Decree of any such Court of Star-

Star-Chamber or other Court aforesaid, now or at any time hereafter having or pretending to have the same or like Jurisdiction, Power or Authority to commit or imprison as aforesaid; Or by the Command or Warrant of the Kings Majesty, his Heirs or Successors in their own person, or by the Command or warrant of the Councel-Board, or of any of the Lords or others of his Majesties Privy Councel, That in every such case, every person so committed, restrained of his liberty, or suffering imprisonment, upon demand or motion made by his Councel, or other employed by him for that purpose, unto the Judges of the Court of Kings Bench or Common Pleas, in open Court, shall without delay upon any pretence whatsoever, for the ordinary Fees usually paid for the same, have forthwith granted unto him a Writ of Habeas Corpus, to be directed generally unto all and every Sheriffs, Goaler, Minister, Officer or other person in whose custody the party committed or restrained shall be, and the Sheriffs, Goaler, Minister, Officer or other person in whose custody the party so committed or restrained shall be, shall at the return of the said Writ, and according to the Command thereof, upon due and convenient notice thereof given unto him, at the charge of the party who requireth or procureth such Writ, and upon security by his own Bond given, to pay the Charge of carrying back the Prisoner, if he shall be remanded by the Court to which he shall be brought, as in like Cases hath been used, such Charges of bringing up and carrying back the Prisoner to be allways ordered by the Court if any difference shall arise thereabout,

about, bring or cause to be brought the body of the said party so committed or restrained unto and before the Judges or Justices of the said Court, from whence the same Writ shall issue in open Court, and shall then likewise certifie the true cause of such his detetnor or imprisonment; and thereupon the Court within three Court days after such return made and delivered in open Court, shall proceed to examine and determine whether the cause of such Commitment appearing upon the said return be just and legal or nor, and shall thereupon do what to Justice shall appertain, either by delivering, bayling or remanding the Prisoner. And if any thing shall be otherwise wilfully done or omitted to be done by any Judge, Justice, Officer or other person afore mentioned contrary to the direction and true meaning hereof, That then such person so offending shall forfeit to the party grieved his treble damages, to be recovered by such means and in such maner as is formerly in this Act limited and appointed for the like Penalty to be sued for and recovered.

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## *Anno XVII. Caroli Regis.*

An Act for Repeal of a Branch of a Statute *primo Elizabetha*, concerning Commissioners for Causes Ecclesiastical.

WHereas in the Parliament holden in the first year of the raign of the late Queen Elizabeth late Queen of England, there was an Act made and Established, Entituled, An Act restoring to the Crown the ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing all Forreign Power repugnant to the same; In which Act, amongst other things, there is contained one Clause, Branch, Article or Sentence, whereby it was Enacted to

this effect, namely, That the said late Queens Highness, her Heirs and Successors, Kings or Queens of this Realm, should have full power and authority by vertue of that Act, by Letters Patents under the Great Seal of England, to assign, name and authorize, when, and as often as her Highness, her Heirs or Successors should think meet and convenient, and for such and so long time as should please her Highness, her Heirs or Successors, such person or persons being natural born Subjects to her Highness, her Heirs or Successors, as her Majesty, her Heirs or Successors should think meet, to exercise, use, occupy and execute under her Highness, her Heirs and Successors, all maner of Jurisdictions, Privileges and Prehemineńce in any wise touching or concerning any Spiritual or Ecclesiastical Jurisdiction within these her Realms of England and Ireland, or any other her Highness Dominions and Countreys; and to visit, reform, redress, order, correct and amend all such Errors, Heresies, Schisms, Abuses, Offences, Contempts and Enormities whatsoever, which by any maner Spiritual or Ecclesiastical Power, Authority or Jurisdiction can or may lawfully be reformed, ordered, redressed, corrected, restrained or amended, to the pleasure of Almighty God, the increase of vertue, and the conservation of the peace and unity of this Realm. And that such person or persons so to be named, assigned, authorized and appointed by her Highness, her Heirs or Successors, after the said Letters Patents to him or them made and delivered as aforesaid, should have ful power and authority by vertue of that Act, and of the said Letters Patents, under her Highness, her Heirs or Successors,

to

to exercise, use and execute all the premisses, according to the tenor and effect of the said Letters Patents, Any matter or cause to the contrary in any wise notwithstanding.

And whereas by colour of some words in the foresaid Branch of the said Act, whereby Commissioners are authorized to execute their Commission according to the tenor and effect of the Kings Letters Patents, and by Letters Patents grounded thereupon, the said Commissioners have, to the great and insufferable wrong and oppression of the Kings Subjects, used to fine and imprison them, and to exercise other authority not belonging to Ecclesiastical Jurisdiction restored by that Act, and divers other great mischiefs and inconveniences have also ensued to the Kings Subjects by occasion of the said Branch and Commissions issued thereupon, and the executions thereof: Therefore, for the repressing and preventing of the foresaid abuses, mischiefs and inconveniences in time to come;

Be it Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the authority of the same, That the foresaid Branch, Clause, Article or Sentence contained in the said Act, and every word, matter and thing contained in that Branch, Clause, Article or Sentence, shall from henceforth be repealed, annulled, revoked, annihilated and utterly made void for ever, Any thing in the said Act to the contrary in any wise notwithstanding.

And be it also Enacted by the Authority aforesaid, That no Archbishop, Bishop, nor Vicar General, nor any Chancellor, Official, nor Commissary of any Archbishop, Bishop or Vicar General, nor any Ordinary whatsoever,

ever, nor any other Spiritual or Ecclesiastical Judge, Officer or Minister of Justice, nor any other person or persons whatsoever exercising Spiritual or Ecclesiastical Power, Authority or Jurisdiction by any Grant, Licence or Commission of the Kings Majesty, his heirs or successors, or by any power or authority derived from the King, his heirs, or successors or otherwise, shall from and after the First day of August, which shall be in the year of our Lord God, One thousand six hundred forty and one, Award, impose or inflict any pain, penalty, fine, amercement, imprisonment or other corporal punishment upon any of the Kings Subjects for any contempt, misdemeanor, crime, offence, matter or thing whatsoever belonging to Spiritual or Ecclesiastical Cognizance or Jurisdiction, or shall ex officio or at the instance or promotion of any other person whatsoever, urge, enforce, tender, give or minister unto any Churchwarden, Sydeman or other person whatsoever, any corporal Oath, whereby he or she shall or may be charged or obliged to make any Presentment of any crime or offence; or to confess or to accuse him or her self of any crime, offence, delinquency or misdemeanor, or any neglect, matter or thing, whereby or by reason whereof he or she shall or may be lyable or exposed to any censure, pain, penalty or punishment whatsoever, upon pain and penalty that every person who shall offend contrary to this Statute, shall forfeit and pay treble damages to every person thereby grieved, and the sum of one hundred pounds to him or them who shall first demand and sue for the same; which said treble damages and sum of one hundred pounds shall and may be demanded and recovered by Action of Debt, Bill

or

or Plaint in any Court of Record, wherein no Priviledge, Essoin, Protection or Wager of Law shall be admitted or allowed to the Defendant. And be it further Enacted, That every person who shall be once convicted of any act or offence prohibited by this Statute, shall for such act or offence be from and after such conviction utterly disabled to be or continue in any office or imployment in any Court of Justice whatsoever; or to exercise or execute any Power, Authority or Jurisdiction by force of any Commission or Letters Patents of the King, his heirs or successors.

And be it further Enacted, That from and after the said First day of August, no new Court shall be erected, ordained or appointed within this Realm of England or Dominion of Wales, which shall or may have the like Power, Jurisdiction or Authority as the said High Commission Court now hath or pretendeth to have; But that all and every such Letters Patents, Commissions and Grants made or to be made by his Majesty, his heirs or successors, and all Powers and Authorities granted, or pretended or mentioned to be granted thereby; and all Acts, Sentences and Decrees to to be made by vertue or colour thereof, shall be utterly void and of none effect.

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*Anno XVII. Caroli Regis.*

An Act against divers Incroachments and Oppressions in the Stannary Courts.

Whereas King Edward the First of famous memory, did for the amendment of the Stannaries in the County of Devon, grant di-

vers Franchiſes and Liberties to the Tynners there: And whereas in the Parliament in the fiftieth year of King Edward the Third, upon the Petition of the Commons of the County of Devon, certain Branches and Articles of the ſaid Charter were explained in maner following; That is to ſay, whereas one Article of the ſaid Charter is in theſe words following, viz. Sciatis nos ad emendationem Stannariarum noſtrarum in Com. Devon. ad tranquillitatem & utilitatem Stannatorum noſtrorum prædictorum earundem, Conceſsiſſe pro nobis & hæredibus noſtris, Quod omnes Stannatores prædicti operantes in Stannariis illis quæ ſunt Dominica noſtra dum operantur in eiſdem Stannariis liberi ſint & quieti de placitis nativorum, & de omnibus placitis & querelis Curiam noſtram & hæredum noſtrorum qualitercunque tangem. Ita quod non reſpondeant coram aliquibus Juſticiariis vel Miniſtris noſtris ſeu hæredum noſtrorum de aliquo placito ſeu querela infra prædictas Stannarias emergen. niſi Coram Cuſtode noſtro Stannariarum noſtrarum prædictarum qui pro tempore fuit (except. placitis ten'. vitæ & membrorum) nec recedant ab operationibus ſuis per ſummonitionem alicujus Miniſtrorum noſtrorum, ſeu Hæredum noſtrorum, niſi per ſummonitionem communem dicti Cuſtodis noſtri, Et quod quieti ſint de omnibus tallag' Theolon. ſtallag. auxiliis & aliis cuſtumis quibuſcunque in villis, portubus, feriis & mercatis infra Com. præd. de bonis ſuis propriis, &c. whereupon the ſaid Commons prayed a Declaration, as followeth: Requeſte, Sur qoi pleſe declarer ſi auters perſons q̄ les Eſteymus onerantz in les Eſtemeryes avōnt & enjoyeront la franchiſe ghte per la dite charte du Roy deſcome la dite chartre voet. Quod omnes Stannatores prædicti operantes in Stannariis illis ſint liberi, &c. Et auters perſons q̄ les onōurs ceſtaſſavoir lōs Maiſtres

que

que les lovent & lós ſervants et auters claymont meſme la Franchiſe. Et auxint pleſe declarer ſi les ditz onóurs y auónt les Franchiſes in auters temps q̃ quant ils auónt in meſme Leſtemery deſicome la chre' voet. Dum operantur in eiſdem Stannariis ſint liberi, &c. **Upon which requeſt anſwer was made, as followeth:** Reſponſ. En droit de les dites paroles operantes in Stannariis illis & dum operantur in eiſdem Stannariis, Soient clerement entenduz de operariis laborantibus duntaxat in Stannariis illis ſine fraude & dolo, & non de aliis nec alibi laborantibus. **And whereas the ſaid Commons prayed a farther Declaration, as followeth:** Requeſte, Item ſoit declarrez, ſi le Gardein de Leſtemery puiſſe tenir plee inter Eſteymó & Forreyn de querele ſourdante d'los q̃ en les lieux ou ils ſont anañtz deſicome la Chre' voet. Quod Cuſtos noſter prædictus vel ejus locum Tenens teneat omnia placita inter Stannatores prædictos emergen. & etiam inter ipſos & alios forinſecos de omnibus tranſgreſſionibus, querelis & contractibus factis in locis in quibus operantur infra Stannarias prædictas ſimiliter emergen. &c. Quar il tient plee des ſieux querele ſourdantz in cheſcune parte deins le dit Counte. **Upon which, anſwer was made in theſe words,** viz. Reſp. Et en droit de ceſte Article ſe ent extend la Juriſdiction clerement ſolonc les paroles del dit Chre' Ceſtaſſavoir; In locis ubi iidem operarii operantur & nemy aillours ne en autre manere. **Which Charter ſo declared, was repeated again, And in the Eighth year of the Reign of King** Richard **the Second commanded to be put in execution.**

**And whereas the ſaid King** Edward **the Firſt made the like Charter to the Tynners in the County of** Cornwal, **which Charter was in the foreſaid Parliament upon the requeſt of the Commons of the County**

of

of Cornwal Declared in the ſame maner and wordes.

And whereas the Tynners of the Counties of Devon and Cornwal have by vertue of the ſaid Charters enjoyed divers and great Liberties, and are quit from all Tolls, Tallages, Ayds and other Cuſtoms in the Mills, Ports, Fairs and Markets within the ſaid Counties reſpectively; which great Liberties do of right belong to the Working-Tynner, Working without fraud or deceit in the Stannaries aforeſaid, and not to any other nor elſewhere working, and were granted to the ſaid Tynners for their encouragement in their works. And whereas of late years ſundry Inhabitants within the ſaid Counties and others, to entitle themſelves to the ſaid Liberties, have by fraud and covine, for ſmall or no conſiderations bought and acquired, and do buy and acquire to themſelves decayed Tyn-works, and ſmall and inconſiderable parts in the ſame and other Tyn-works; which abuſes are done principally to inable the ſaid falſe and feigned Tynners to vex and ſue their neighbors in the Stannary Courts, where for the moſt part the Defendant is unjuſtly debarred his coſts, although the cauſe be adjudged with him, and the Juriſdiction of the ſaid Stannaries hath, contrary to ancient right and uſage, and the ſaid Charters, been endeavored to be extended out of the places where the Tynners do work through the whole Counties of Devon and Cornwal reſpectively, which is no way for the benefit of his Majeſty, but for the ſingular lucre of ſome private perſons. And whereas by the ſaid abuſes great inconveniences do follow, (that is to ſay) The Inhabitants of the

ſaid

ſaid Counties are miſerably vexed, oppreſſed and impriſoned, his Majeſty defrauded of his Ayds and Cuſtoms, and the Lords and owners of Fairs, Markets and other Franchiſes of their Tolls and Duties, and the Government of the Countrey exceedingly confounded and eluded, the ſaid falſe and feigned Tynners claiming when they liſt to be Tynners and when they liſt to be Foreigners, beſides that if timely proviſion be not made, the certain decay of his Majeſties profit in the Tynworks will enſue, for that the ſame being divided into ſo many hands and parts cannot conveniently be ſet on Work, nor contribution raiſed for the working the ſame.

Be it therefore Enacted by his Majeſty, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, That the ſaid Declarations be henceforth held and duly obſerved with this, that the words of the ſaid Charters and Declarations, In locis ubi operantur, be expounded of the Vill, Tything and Hamlet where ſome Tynwork in Work is ſcituate and not elſewhere, and no longer then the ſame Tyn-Work is or ſhall be in Working. And if any perſon or perſons that ſhall be ſued in the ſaid Stannaries ſhall ſwear, or tender his or their Oath in the ſaid Court where he or they ſhall be ſued, that he or they are not, nor is, nor time of the Suit commenced was not, nor were a Tynner or Tynners, then ſuch Defendant or Defendants ſhall be forthwith diſcharged of ſuch Suit, unleſs that the Plaintiff or Plaintiffs do forthwith make Oath that the ſaid Plaintiff or Plaintiffs is or are true and Working Tynners without fraud or deceit; and that the cauſe of

his or their Suit arose within the said Stannaries, or concerneth Tyn or Tyn-Works. And if any person being not re vera, and without fraud a working and laboring Tynner in or about some Tyn-Work, set on Work within one half year next before his Suit, shall sue, prosecute or implead in any the said Courts, or before the Warden, Vice-Warden or Steward of the said Stannaries, any person or persons that is or are not a Tynner or Tynners at the time of such Suit commenced, then the Defendant and Defendants in every such case shall have his and their action at the Common Law against such person suing or prosecuting, wherein he shall recover Ten Pounds and his damages and costs of Suit; provided that such Action be brought within two years next after the Action or Suit brought in the said Stannary Courts, or before the said Warden, Vice-Warden or Steward.

And be it Declared and Enacted, That in all cases where the Plaintiff or Defendant, Plaintiffs or Defendants are to have costs by the Laws or Statutes of this Realm, there also the Plaintiffs and Defendants shall have the like costs in the Stannary Courts. And in regard that the said Charters were granted for the ease and advantage of the Tynners, and not for their disadvantage or oppression, and yet divers of them who for special reasons have desired to sue at the Common Law, have been restrained;

Be it Declared and Enacted, That it shall be lawful to & for the said Tynners, if they think fit, to sue any Forreigners at the Common Law; the said Charter, or any usage to the contrary notwithstanding. And

And Whereas the Bayliffs of the ſaid Stannary Courts are very numerous, and are perſons of ſmall or no credit, and yet upon their Return that any perſon is become Surety for any other upon Arreſt by Proceſs out of the ſaid Courts, ſuch perſon who ſometimes knows nothing of the matter, is by falſe Returns of the ſaid Bayliffs made liable to the Debt or Demand, which Bayliffs, by reaſon of their poverty are often not reſponſible, and ſo the party without remedy;

Be it Enacted, That no perſon or perſons be charged or troubled as Surety by any Return of any Bayliff or Bayliffs of the ſaid Stannaries, unleſs that the perſon or perſons returned Surety or Sureties ſhall in the preſence of two Witneſſes ſubſcribe or ſign a Note in Writing, that ſuch perſon or perſons is or are become Surety or Sureties; Which Note ſhall mention the names of the Plaintiffs and Defendants in the Suit, and the Sum or Damages in demand, and the nature of the Action, and ſhall be ſigned or ſubſcribed by the ſaid Witneſſes, and Returned and Filed in the Court out of Which ſuch Proceſs ſhall iſſue, and no Bayliff or Bayliffs of the ſaid Stannaries ſhall be admitted as Witneſſes to any ſuch Note.

And Whereas in the ſaid Stannaries it is uſed, That if the Bayliffs Return any perſon Arreſted, that if ſuch perſon make default at the day, he ſhall be condemned, and Execution is ſuddenly awarded, when as often the party was not Arreſted.

Be it further Enacted, That no Defendant ſhall be condemned upon ſuch Return for not appearing, unleſs alſo a Note under the hand

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or sign of the party Arrested, and subscribed by two such Witnesses as aforesaid, be returned into the said Court at or before the day of Appearance; and the said Bayliff or Bayliffs shall take but four pence for every such Note as aforesaid; And it is Provided that none shall be Bailed upon Arrest there till he give such Note.

And in case any the said Bayliff or Bayliffs shall return a Rescous against any person or persons, he or they shall be admitted to Traverse the said Return; which Traverse, if it be found with him or them so traversing, then he or they shall be no further troubled or occasioned by reason of such Return.

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## *Anno XVII. Caroli Regis.*

An Act for the certainty of Forests, and of the Meers, Meets, Limits and Bounds of the Forests..

WHereas by Act of Parliament made in the First year of the Reign of the late King Edward the Third, it is Ordained, That the old Perambulation of the Forest in the time of King Edward the first should be thenceforth holden in like form as it was then Ridden and Bounded, and in such places where it was not Bounded, the King would that it should be Bounded by good men and lawful:

And whereas for many Ages past certain Meets, Meers, Limits and Bounds of the Forests have been commonly known and observed in the several Counties wherein the said Forests lie:

And whereas of late divers Presentments have

have been made, and some Judgements given, whereby the Meets, Meers, Limits and Bounds of some of the said Forests have been variously extended or pretended to extend beyond some of the said Meets, Meers, Limits and Bounds so commonly known and formerly observed, to the great grievance and vexation of many persons having Lands adjoyning to the said Meets, Meers, Limits and Bounds so commonly known and formerly observed; And whereas of late time some Endeavors or Pretences have been to set on foot Forests in some parts of this Realm and the Dominion of Wales, where in truth none have been nor ought to be, or at least have not been used of long time: For remedy thereof, may it please your most Excellent Majesty, That it be Declared and Enacted by Authority of Parliament;

And be it Declared and Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That from henceforth the Meets, Meers, Limits and Bounds of all and every the Forests respectively shall be to all intents and purposes taken, adjudged and deemed to extend no further respectively, then the Meets, Meers, Limits and Bounds, which in the several Counties respectively wherein the said Forests do lie, were commonly known, reputed, used or taken to be the Meets, Meers, Limits and Bounds of the said Forests respectively in the Twentieth year of the Reign of our late Soveraign Lord King James, and not beyond in any wise, Any Perambulation or Perambulations, Presentments, Extents,

Surveys, Judgements, Records, Decrees, or other matter or thing whatsoever to the contrary notwithstanding: And that all and every the Presentments since the said Twentieth year made, and all and every other Presentment and Presentments, and all and every Judgement and Award upon or by reason or pretext of any such Presentment or Presentments, and all and every Perambulation and Perambulations, Surveys, Extents, and other Act and Acts at any time heretofore had or made, by which the Meets, Meers, Limits or Bounds of the said Forests, or any of them are, or are pretended to be further extended then as aforesaid: And also all and every Presentment of any person or persons at any Justice-seat, Swain-mote or Court of Attachments, for or by reason or by colour of any Act or Acts whatsoever done or committed in any place without or beyond the said Meets, Meers, Limits or Bounds respectively, so commonly known, reputed, used or taken as aforesaid; and all and every Fine and Fines, and Amercement and Amercements, upon, by reason or colour of any such Presentment or Presentments, shall from henceforth be adjudged, deemed and taken to be utterly void and of no force or effect, Any Law, Statute, Record or Pretence whatsoever to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That no place or places within this Realm of England or Dominion of Wales, where no such Justice-seat, Swain-mote or Court of Attachment have been held or kept, or where no Verderers have been chosen, or regard made within the space of sixty years next before

before the first year of his Majesties reign that now is, shall be at any time hereafter judged, deemed or taken, or taken to be Forest, or within the Bounds or Meets of the Forests; But the same shall be from henceforth for ever hereafter disafforested, and freed and exempted from the Forests Laws, Any Justice-seat, Swain-mote or Court of Attachment held or kept within, or for any such place or places at any time or times since the beginning of his Majesties said Reign, or any Presentment, Enquiry, Act or Thing heretofore made, or hereafter to be made or done to the contrary notwithstanding.

Provided also, and be it further Enacted by the Authority aforesaid, That for the better putting into Certainty all & every the Meets, Meers, Bounds and Limits of all and every the Forests as aforesaid, The Lord Chancellor or Lord Keeper of the Great Seal of England for the time being, shall by vertue of this Act, upon request of any of the Peers of this Kingdom, or of the Knights and Burgesses of the Parliament or any of them, grant several Commissions under the Great Seal of England to Commissioners to be nominated respectively by the said Peers, Knights and Burgesses or any of them, to enquire of, and finde out by Inquests of good and lawful men upon Oath, and by the Oathes of witnesses to be produced at the said Inquests, and by all other lawful means, all and every the Meers, Meets, Bounds and Limits of the Forests respectively, which were commonly known to be their Meers, Meets, Bounds and Limits respectively in the said Twentieth year of the Reign of our late Soveraign Lord King

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James, and to return the Inquests so taken into the Court of Chancery; And that all and every the Sheriffs and Bayliffs, of and in every County wherein any such Inquests shall be so to be taken; And all and every the Verderers, Forresters, Rangers, and other Officers of the Forests respectively where any such Officers be, shall be assistant and attendant to the Execution of the said Commissions, according as by vertue of the said Commissions respectively they shall be commanded; And where no such Officers are, or where such Officers be, if they or any of them shall refuse or neglect such assistance and attendance as aforesaid, Then the said Commissioners shall and may proceed without them in the Execution of the said Commissions.

And be it further Enacted by the Authority aforesaid, That the Forests whereof the Meets, Meers, Limits and Bounds shall be so returned and certified by vertue of any the said Commissions as aforesaid, from thenceforth shall not extend nor be extended, nor be deemed, adjudged or taken to extend any further in any wise then the Meets, Meers, Limits and Bounds that shall be so returned and certified; And that all the places and Territories that shall be without the Meets, Meers, Limits and Bounds so returned and certified, shall be, and are hereby Declared to be from thenceforth free to all intents and purposes, as if the same had never been Forest or so reputed, Any Act or Acts, matter or thing whatsoever to the contrary thereof notwithstanding.

Provided, and be it further Enacted by the Authority aforesaid, That all and every the Grounds,

Grounds, Territories or places which have been or are Deafforested, or mentioned to be Deafforested in or by any Letters Patents, Charters or otherwise, since the said twentieth year of the Reign of our said late Soveraign Lord King James, shall be excluded and left out of the Meets, Meers, Limits and Bounds of the Forests which are to be enquired of, returned and certified by vertue of the said Commissions or any of them respectively: And shall be, and hereby are Declared and Enacted to be utterly Deafforested, Free and Exempt to all intents and purposes, as if the same had never been at all Forest or so reputed, Any thing in this present Act contained, or any other Act, matter or thing whatsoever to the contrary in any wise notwithstanding.

Provided nevertheless, and be it Enacted, That the Tenants, Owners and Occupiers, and every of them, of Lands and Tenements which shall be excluded and left out of the Meets, Meers, Limits or Bounds of the Forests to be returned and certified by vertue of any the said Commissions, shall or may use and enjoy such Common and other Profits and Ealements within the Forests as anciently or accustomably they have used and enjoyed, Any thing in this present Act contained, or any Act or Ordinance made in the Three and thirtieth year of King Edward the First, or any Custom, or Law of the Forest, or any other matter or thing to the contrary thereof notwithstanding.

## *Anno XVII. Caroli Regis.*

An Act for the better Ordering and Regulating of the Office of Clerk of the Market allowed and confirmed by this Statute, and for the Reformation of false Weights and Measures.

FOrasmuch as the undue execution of the Office of Clerk of the Market hath been very grievous unto divers of his Majesties most loving Subjects, who have been much troubled by unnecessary Summons, and charged with Exactions of divers Sums of Money by colour of the said Office; and in regard the said evils have partly arisen by means of an inequality of Weights and Measures throughout this Kingdom, and by granting and letting to Farm the said Office of Clerk of the Market and the Execution thereof in and through all or the most of the several Counties of this Kingdom for great Sums of Money, which the said Farmers or Grantees, by their unjust and undue proceedings in the said Office do extort from his Majesties Subjects again, to their great impoverishment, and yet little or no redress at all in their said Weights or Measures, or any benefit thereby accrewing to his Majesty: For remedy whereof, and for regulating of all Weights and Measures according to the true intent of this Statute, and the other Statutes in that behalf formerly made and Provided, and preventing the said inconveniences;

Be it therefore Enacted by the Kings most Excellent Majesty, the Lords & Commons of this present Parliament assembled, and by the Authority of the same, That from henceforth there shall but be one Weight, one Measure, and

and one Yard, according to the Standard of the Exchequer throughout all the Realm, aſwel in places priviledged as without, Any uſage or cuſtom to the contrary notwithſtanding; And that every Meaſure of Corn ſhall be ſtriked without heap. And whoſoever ſhall ſell by, or keep any other Weight, Meaſure or Yard then as aforeſaid, whereby any Corn, Grain or other thing is bought or ſold after ſix moneths after the end of this preſent Seſſion of Parliament, ſhall forfeit for every ſuch Offence five ſhillings, being thereof lawfully convicted by the Oath of one ſufficient Witneſs before any Juſtice of Peace, Major or other Head-Officer of the County, City or Town Corporate reſpectively where the ſaid Offence ſhall be committed, who by vertue of this Act ſhall have power to adminiſter an Oath in that behalf; which ſaid Sum or Penalty of Five ſhillings ſhall be levied by the Churchwardens and Overſeers of the Poor of the Parish, or ſome or one of them where ſuch Offence is or ſhall be committed, to the uſe of the Poor of the ſame Parish, of the Goods and Chattels of ſuch Offenders, by way of Diſtreſs and Sale of the Offenders Goods, rendring the overplus to the party ſo offending: And in default of ſuch Diſtreſs, it ſhall be lawful for any Juſtices of Peace, Major or other Head Officer of the County, City or Town Corporate reſpectively, to commit the ſaid party to the Priſon or Goal, there to remain without Bail or Mainprize until he ſhall pay ſuch Sums of Money forfeited as aforeſaid.

And be it further Enacted by the Authority aforeſaid, That no Clerk of the Market of the

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Kings Houſe which now is, or hereafter ſhall be, or of the Prince his Highneſs, his heirs or ſucceſſors, which is or ſhall be Duke of Cornwal, or his or their Deputy or Deputies, ſhall hereafter execute his or their ſaid Office or Offices reſpectively, in any part of the Kingdom, but onely within the Verge of the Kings Court where it ſhall then reſide for the time being: And that it ſhall be always hereafter lawful for any Major or other Head Officer of any City, Borough or Town Corporate, or for any Lord or Lords of Liberty Liberties or Franchiſes, his or their Deputy, or Deputies, or Agents, according to their ſeveral Liberties and Juriſdictions, to have full power to execute the ſaid Offices reſpectively, as they ought or might have done before the making of this Act. And for the more eaſe of his Majeſties Subjects;

Be it further Enacted, That if any Clerk of the Market within his aforeſaid Precincts and Limits of the Verge of the Kings Houſe onely, or any Major or other Officer whatſoever, who by vertue of this Act ſhall have Power to enquire of any Abuſes in Weights and Meaſures, ſhall Seal or give Allowance unto any other Weight or Meaſure, Weights or Meaſures, other then according to the ſaid Standard of the Exchequer, or ſhall upon reaſonable requeſt and Warning, refuſe to Seal or give Allowance unto ſuch Weight or Meaſure, Weights or Meaſures, as are according to the ſaid Standard of the Exchequer, paying onely ſuch Fee or Fees for ſuch Allowance as by the Statute or Statutes, or by ancient Cuſtom are in that behalf formerly Provided and Allowed, and no more; That

then

then the said Clerk of the Market, Major and other Officer or Officers of City, Borough or Town, and the said Lord and Lords of Liberty or Liberties, and his and their Deputy and Deputies, and Agents respectively, shall forfeit for every such Offence Five pounds, to be levied as aforesaid, to the use of the Poor of the Parish where such Offence is or shall be committed.

And be it further Enacted by the Authority aforesaid, That if the Clerk of the Market, his Deputy or Deputies, or Agents within the Verge aforesaid, or any Major or any other Officer or Officers of any City or Town, or any Lord or Lords of Liberties, his or their Deputy or Deputies, Agents or Assigns respectively, shall take or receive of any of his Majesties Subjects, by colour of the said Office, any common Fine or Fines, or any Fees, other then are formerly allowed by the Statute or Statutes, or ancient Custom in that behalf made or used, shall take any Fee or Fees, or other Sum of money, Reward or Consideration for the making, signing or examination of any Weights or Measures which have been formerly marked or sealed; or shall Impose or Assels, or cause to be Imposed or Assessed, any Fine or Amerciament, Fines or Amerciaments, without a due and Legal Trial of the Offences, for which the said Fine or Fines, Amerciament or Amerciaments are Imposed or Assessed, or shall otherwise misdemean himself in the execution of his said Office, and be thereof lawfully convicted, He shall forfeit for the first Offence whereof he shall be so lawfully convicted, Five Pounds; And for the second Offence, Ten Pounds; And for the

third Offence, and every other Offence afterwards, Twenty Pounds, to be levied as aforesaid, to the use of the Poor of the Parish where such Offence shall be committed.

And be it Enacted, That whosoever shall be Fined or Amerced by vertue of this Act, shall not be again Fined or Amerced for the same Offence by vertue of any former Law or Statute.

Provided always, That this Act or Statute shall not extend to the Rents of Farms, or Lands, or any Corn or Grain due or payable to any Lord or Lords, or any Colledges, Houses or other Societies, by vertue of any Lease or Leases, or other Covenant or Agreement, but that the same, during the continuation of such Lease, Leases or other Agreements, shall be payed, delivered and performed in such measure and form as the same hath been payed, delivered and performed before the making of this Act: And that such Measure as is commonly called Water-measure, in any Ports, maritime Towns or other places, shall be still used and continued as formerly the same hath been, Any thing in this Statute contained to the contrary hereof in any wise notwithstanding.

Provided also, That no Justice or Justices of the Peace, Major, Bayliff or other Head-Officer, Churchwardens, Overseers, or any other authorized by this Statute for the due execution thereof in any point, shall be sued, impleaded or otherwise impeached for doing or executing their said Offices respectively: And if any Suit or Suits hereafter shall be commenced against them or any of them, their Agents or Assistants touching the Premises,

That

That then it shall and may be lawful for them and every of them so sued or troubled in any Court or Courts whersoever, to plead the general Issue, Not guilty, and to give this Statute in Evidence, or any other special matter in Evidence.

And in case by or upon this Law they or any of them shall be found Not guilty, or the Plaintiff be Non-suited, the Defendant or Defendants shall recover triple Costs against the Plaintiff for his unjust vexation.

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## *Anno XVII. Caroli Regis.*

An Act for the free bringing in of Gun-powder and Salt-Peter from Foreign parts, and for the free making of Gun-powder in this Realm.

WHereas the Importation of Gun-powder from Foreign parts hath of late times been against Law prohibited, and the making thereof within this Realm ingrossed, whereby the price of Gun-powder hath been excessively raised, many Powder-Works decayed, this Kingdom very much weakned and endangered, the Merchants thereof much damnified, many Mariners and others taken Prisoners and brought into miserable Captivity and Slavery, many Ships taken by Turkish and other Pirats, and many other inconveniences have from thence insued, and more are likely to insue if they be not timely prevented:

Be it therefore Declared and Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the Authority of the same,

ſame, That it ſhall and may be lawful to and for all and ſingular perſons, as well Strangers as natural born Subjects of this Realm, to Import and bring into this Kingdom any quantities of Gun-powder whatſoever, paying ſuch Cuſtoms and Duties for the ſame as by Authority of Parliament ſhall be limited and ſet down.

And be it further Declared and Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all and ſingular his Majeſties Subjects of this his Realm of England, to make and ſell any quantities of Gun powder at his and their Will and pleaſure; and alſo to bring into this Kingdom any quantities of Salt-peter, Brimſtone or any other materials neceſſary or requiſite for the making of Gunpowder.

And laſtly, Be it Enacted by the Authority aforeſaid, That if any perſon or perſons from and after the Tenth day of Auguſt, which ſhall be in the year of our Lord God, One thouſand ſix hundred forty and one, ſhall put in execution any Letters Patents, Proclamation, Edict, Act, Order, Warrant, Reſtraint or other Inhibition whatſoever, whereby the Importation of Gun-powder, Salt-peter, Brimſtone or other the materials aforementioned, or any of them from Foreign parts, or the making of Gun-powder within this Realm, ſhall be any way prohibited or reſtrained, That then the ſaid perſon and perſons ſo offending ſhall incur and ſuſtain the Pains, Penalties and Forfeitures contained and provided in the Statute of Proviſion and Premunire made in the ſixteenth year of the Reign of King Richard the the Second.

*Anno*

then the said Clerk of the Market, Major and other Officer or Officers of City, Borough or Town, and the said Lord and Lords of Liberty or Liberties, and his and their Deputy and Deputies, and Agents respectively, shall forfeit for every such Offence Five pounds, to be levied as aforesaid, to the use of the Poor of the Parish where such Offence is or shall be committed.

And be it further Enacted by the Authority aforesaid, That if the Clerk of the Market, his Deputy or Deputies, or Agents within the Verge aforesaid, or any Major or any other Officer or Officers of any City or Town, or any Lord or Lords of Liberties, his or their Deputy or Deputies, Agents or Assigns respectively, shall take or receive of any of his Majesties Subjects, by colour of the said Office, any common Fine or Fines, or any Fees, other then are formerly allowed by the Statute or Statutes, or ancient Custom in that behalf made or used, shall take any Fee or Fees, or other Sum of money, Reward or Consideration for the making, signing or examination of any Weights or Measures which have been formerly marked or sealed; or shall Impose or Assess, or cause to be Imposed or Assessed, any Fine or Amerciament, Fines or Amerciaments, without a due and Legal Trial of the Offences, for which the said Fine or Fines, Amerciament or Amerciaments are Imposed or Assessed, or shall otherwise misdemean himself in the execution of his said Office, and be thereof lawfully convicted, he shall forfeit for the first Offence whereof he shall be so lawfully convicted, Five Pounds; And for the second Offence, Ten Pounds; And for the

third Offence, and every other Offence afterwards, Twenty Pounds, to be levied as aforesaid, to the use of the Poor of the Parish where such Offence shall be committed.

And be it Enacted, That whosoever shall be Fined or Amerced by vertue of this Act, shall not be again Fined or Amerced for the same Offence by vertue of any former Law or Statute.

Provided always, That this Act or Statute shall not extend to the Rents of Farms, or Lands, or any Corn or Grain due or payable to any Lord or Lords, or any Colledges, Houses or other Societies, by vertue of any Lease or Leases, or other Covenant or Agreement, but that the same, during the continuation of such Lease, Leases or other Agreements, shall be payed, delivered and performed in such measure and form as the same hath been payed, delivered and performed before the making of this Act: And that such Measure as is commonly called Water-measure, in any Ports, maritime Towns or other places, shall be still used and continued as formerly the same hath been, Any thing in this Statute contained to the contrary hereof in any wise notwithstanding.

Provided also, That no Justice or Justices of the Peace, Major, Bayliff or other Head-Officer, Churchwardens, Overseers, or any other authorized by this Statute for the due execution thereof in any point, shall be sued, impleaded or otherwise impeached for doing or executing their said Offices respectively: And if any Suit or Suits hereafter shall be commenced against them or any of them, their Agents or Assistants touching the Premises,

That

That then it ſhall and may be lawful for them and every of them ſo ſued or troubled in any Court or Courts whereſoever, to plead the general Iſſue, Not guilty, and to give this Statute in Evidence, or any other ſpecial matter in Evidence.

And in caſe by or upon this Law they or any of them ſhall be found Not guilty, or the Plaintiff be Non-ſuited, the Defendant or Defendants ſhall recover triple Coſts againſt the Plaintiff for his unjuſt veration.

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## *Anno XVII. Caroli Regis.*

An Act for the free bringing in of Gun-powder and Salt-Peter from Foreign parts, and for the free making of Gun-powder in this Realm.

WHereas the Importation of Gun-powder from Foreign parts hath of late times been againſt Law prohibited, and the making thereof within this Realm ingroſſed, whereby the price of Gun-powder hath been exceſſively raiſed, many Powder-Works decayed, this Kingdom very much weakned and endangered, the Merchants thereof much damnified, many Mariners and others taken Priſoners and brought into miſerable Captivity and Slavery, many Ships taken by Turkiſh and other Pirats, and many other inconveniences have from thence inſued, and more are likely to inſue if they be not timely prevented:

Be it therefore Declared and Enacted by the Kings moſt Excellent Majeſty, and the Lords and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame,

ſame, That it ſhall and may be lawful to and for all and ſingular perſons, as well Strangers as natural born Subjects of this Realm, to Import and bring into this Kingdom any quantities of Gun-powder whatſoever, paying ſuch Cuſtoms and Duties for the ſame as by Authority of Parliament ſhall be limited and ſet down.

And be it further Declared and Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all and ſingular his Majeſties Subjects of this his Realm of England, to make and ſell any quantities of Gun powder at his and their Will and pleaſure; and alſo to bring into this Kingdom any quantities of Salt-peter, Brimſtone or any other materials neceſſary or requiſite for the making of Gunpowder.

And laſtly, Be it Enacted by the Authority aforeſaid, That if any perſon or perſons from and after the Tenth day of Auguſt, which ſhall be in the year of our Lord God, One thouſand ſix hundred forty and one, ſhall put in execution any Letters Patents, Proclamation, Edict, Act, Order, Warrant, Reſtraint or other Inhibition whatſoever, whereby the Importation of Gun-powder, Salt-peter, Brimſtone or other the materials aforementioned, or any of them from Foreign parts, or the making of Gun-powder within this Realm, ſhall be any way prohibited or reſtrained, That then the ſaid perſon and perſons ſo offending ſhall incur and ſuſtain the Pains, Penalties and Forfeitures contained and provided in the Statute of Proviſion and Premunire made in the ſixteenth year of the Reign of King Richard the the Second.

*Anno*

## *Anno XVII. Caroli Regis.*

An Act for the ſpeedy and effectual reducing of the Rebels in His Majeſties Kingdom of *Ireland* to their due Obedience to His Majeſty and the Crown of *England*.

WHereas the Lords and Commons, taking into their ſerious Conſiderations as well the neceſſity of a ſpeedy reducing of the Rebels of Ireland to their due Obedience, as alſo the great Sums of money that the Commons of this Realm have of late paid for the Publike and neceſſary Affairs of this Kingdom, whereof the Lords and Commons are very ſenſible, and deſirous to imbrace all good and honorable Ways tending to his Majeſties greatneſs and profit, the ſetling of that Realm, and the eaſe of his Majeſties Subjects of England;

And whereas divers worthy and well-affected perſons, perceiving that many millions of Acres of the Rebels Lands of that Kingdom, which go under the name of profitable Lands, will be confiſcate and to be diſpoſed of; And that in caſe two millions and a half of thoſe Acres to be equally taken out of the four Provinces of that Kingdom, may be allotted for the ſatisfaction of ſuch perſons as ſhall diſburſe any Sums of money for the reducing of the Rebels there, would effectually accompliſh the ſame, have made theſe Propoſitions enſuing (viz.)

1. That two millions and an half of thoſe Acres may be aſſigned, allotted and divided amongſt them after this proportion, (viz.) For each adventure of two hundred Pounds, one

thouſand Acres in Ulſter: For three hundred pounds, one thouſand Acres in Conaght: For four hundred and fifty pounds, one thouſand Acres in Munſter: For ſix hundred pounds, one thouſand Acres in Leinſter; All according to the Engliſh meaſure, and conſiſting of Meadow, Arable and profitable Paſture, the Bogs, Woods and barren Mountains being caſt in over and above theſe two millions and a half of Acres, to be holden in free and common Soccage of the King, as of his Caſtle of Dublin.

2. That out of theſe two millions and a half of Acres, a conſtant yearly Rent ſhall be reſerved to the Crown of England, after this proportion, (viz.) Out of each Acre thereof in Ulſter, one peny; Out of each Acre in Conaght, three half pence; Out of each Acre in Munſter, two pence farthing; And out of each Acre in Leinſter, three pence; whereby his Majeſties Revenue out of thoſe Lands will be much improved, beſides the Advantages that he will have by the coming to his hands of all other the Lands of the Rebels, and their perſonal Eſtates, without any charge unto his Majeſty.

3. That for the erecting of Manors, ſetling of Waſtes and Commons, maintaining of Preaching Miniſters, Creating of Corporations, and Regulating of the ſeveral Plantations, one or more Commiſſions be hereafter granted by Authority of Parliament.

4. That moneys for this great occaſion may be the more ſpeedily advanced, All the Undertakers in the City of London and within twenty miles diſtant thereof, ſhall underwrite their ſeveral Sums before the Twentieth

eth day of March, One thousand six hundred forty one; and all within sixty miles of London, before the First day of April, One thousand six hundred forty two; and the rest of the Kingdom before the First day of May, One thousand six hundred forty two.

5. That the several sums to be underwritten, shall be paid in at four Payments, (viz.) One fourth part within ten days after such underwriting, and the other three parts at three moneths and three moneths, all to be paid in to the Chamber of London.

6. That for the better securing of the said several Sums accordingly, every one that doth so underwrite, shall at the time of his Subscription pay down the twentieth part of the total Sum that shall be by him then underwritten. And in case that the residue of his first fourth part be not paid in to such person or persons as shall be appointed to receive the same within the ten days before limited, then such party shall not onely forfeit the twentieth part of the sum total formerly deposited, but so much more of his first fourth payment to be added thereunto, as shall make up the one moyety of the said first payment: And if the same person shall fail in any other of the three payments, he shall then forfeit his entire first fourth part and all the benefit of his Subscription, which forfeiture shall accrew to the common benefit of the rest of the Underwriters.

And whereas alwel our Soveraign Lord the King, as the Lords and Commons have approved of the said Propositions, and assented that the said Propositions and all other things necessarily conducing thereunto, shall be

be ratified and confirmed by Authority of Parliament;

Be it therefore Enacted by our Soveraign Lord the King, with the assent of the Lords and Commons in this present Parliament assembled, and by Authority of the same, That all and every of the said Propositions, and every clause therein contained, are and shall be according to the tenor and purport thereof hereby ratified, established and confirmed, with such Explanations, Alterations and Additions, as in this Act are expressed.

And be it further Enacted, That all and every person and persons which upon the three and twentieth day of October, in the year One thousand six hundred forty one, or at any time after shall be in Rebellion, or levy War against the Kings Majesty within his Realm of Ireland, or shall willingly aid, assist or countenance any person or persons in Rebellion against the Kings Majesty, shall lose and forfeit unto the Kings Majesty, his Heirs and Successors, All such Right, Title, Interest, Use and Possession which they or any of them, or any other person or persons in trust for them or any of them, on the said Three and twentieth day of October, or at any time after shall have, of, in or unto any Honors, Castles, Manors, Messuages, Lands, Tenements, Rents, Annuities, Reversions, Remainders, Uses, Possessions, Offices, Rights, Conditions, or any other Hereditaments of What name, nature or quality soever they be; and that all such Right, Title, Interest, Use and Possession which they or any of them, or any other person or persons in trust for them or any of them, on the said Three and twentieth day of October, or at any

any time after shall have, or of right ought to have, of, in or to the same Honors, Castles, Manors, Messuages, Lands, Tenements, Rents, Annuities, Reversions, Remainders, Uses, Possessions, Offices, Rights, Conditions or any other Hereditaments, shall by the Authority aforesaid be deemed, vested, adjudged and taken to be in the actual and real Possession of our Soveraign Lord the King, his Heirs and Successors, without any Office or Inquisition thereof hereafter to be found.

And be it further Enacted by the Authority aforesaid, That two millions and a half of Acres of Meadow, Arable land and profitable Pasture, which are or shall be forfeited by the said Rebels, or otherwise by vertue of this Act; with Woods, Boggs, Loughs and Barren mountains cast in over and above, and with all the Buildings and Edifices thereupon, are and shall be by vertue of this Act, for the satisfaction of such person and persons as shall underwrite any Sum or Sums of money, and pay the same according to the true intent and meaning of this present Act, the same to be allotted and apportioned to each Underwriter according to the proportion of the Sums to be underwritten and paid in, and to be holden by such Rent and Tenure as in the said recited Propositions are expressed.

And be it further Enacted, That John Warner, John Towse, and Thomas Andrews Aldermen, and Lawrence Halstead Esq; are and shall be hereby appointed and authorized to give their daily attendance at the said Chamber of London, to receive all such Subscriptions and Sums of money, and to give Receipts for the same under their hands, as shall be there tendred and

paid according to this Act, which said persons so appointed to receive the said Sums of money, shall enter the Names of the Underwriters, together with the Sum and time of Subscription into one or more Books to be kept for that purpose, and shall from time to time issue out the said Sums of money in such maner as both Houses of Parliament shall by Order direct.

And be it further Enacted, That the Sheriffs of each County of England and Dominion of Wales, shall receive all such Subscriptions and Sums of money as shall be by vertue of this Act tendred to them in their respective Counties, and shall appoint Days and places for that purpose, and shall give Receipts for the Sums so received under their hands, and return the Sums subscribed and received, together with the Names of the Underwriters, and the times of their Subscriptions, to the Chamber of London, to the hands of the said John Warner, John Towse, Thomas Andrews and Lawrence Halstead, or any two of them, with all convenient speed to be by them entred into Books to be kept for that purpose: And they the said John Warner, John Towse, Thomas Andrews and Lawrence Halstead, or any two of them, are hereby likewise authorized and required to give Acquittances or Receipts for all Sums received of the said Sheriffs: And that the said John Warner, John Towse, Thomas Andrews and Lawrence Halstead, and the said Sheriffs, their Officers and Ministers, their Heirs and Executors, shall accompt for all Sums of money by them received according to this present Act, to such persons as both Houses of Parliament shall direct.

And

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said John Wainer, John Towse, Thomas Andrews and Lawrence Halstead, and the said Sheriffs respectively, to deduct and retain to their own use, one Peny out of every pound of all such Sums of money as they shall receive according to this Act, towards their Charges and Pains in attending and receiving the said Subscriptions and Sums of money, and in filling out and returning up the same.

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And be it further Enacted, That when the Lords and Commons of this Realm of England shall in Parliament by Order Declare, That the said Rebels are subdued, and that this present Rebellion in the said Kingdom of Ireland is appeased and ended, that forthwith after such Declaration made and sent to the Lord Chancellor, or Lord Keeper of the Great Seal of England for the time being, the said Lord Chancellor or Lord Keeper is hereby authorized and required to issue forth Commissions into all the said four Provinces of that Kingdom of Ireland, for the Surveying and setting forth of the said two millions and half of Acres, which Commission shall be to such effect, and directed to such persons as the said Lords and Commons in Parliament shall appoint, which said Commissioners shall have power by this Act to survey all the Lands of the said Rebels, and all the Lands forfeited by vertue of this Act, and to ascertain and measure forth of the same six hundred and five and twenty thousand Acres in every of the said four Provinces, of Meadow, Arable and profitable Pasture, with Woods, Boggs, Loughs,

Loughs and Barren mountains cast in over and above, with the Houses and Edifices thereupon; And after the same measured and set forth, shall indifferently divide the same by Lot among the several Underwriters, and among the Heirs of such Underwriters as shall die before the Division; and the Assignee and Assignees of such of the Underwriters as shall assign their shares or any part thereof before the said Division according to the Proportions mentioned in the said recited Propositions, and according to the respective Sums paid in as aforesaid, and according to the purport of this present Act, which Division shall be made in such maner as the said Lords & Commons in Parliament shall by Order direct; in which Division no maner of favor or advantage shall be given or allowed to any person whatsoever, but all to be done and determined equally and by Lot, and each Underwriters Land to be laid together, or so near together as conveniently may be: And in case six hundred twenty five thousand Acres of the Rebels profitable Lands, and of the profitable Lands forfeited by vertue of this Act shall not be found in each Province, then so much of the said six hundred twenty five thousand Acres as shall be wanting in any one Province, shall be made up in value out of the said Rebels Lands; and for want thereof, out of the profitable Lands forfeited by this Act in the other Provinces, at the discretion of the said Commissioners, respect being had to the value of the Lands in each Province according to the said Propositions; which said Commissioners shall return the said Allotments and all their Proceedings therein fairly Ingrost in

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parchment into his Majesties Court of Chancery of this Kingdom, there to remain of Record, and into his Majesties Court of Chancery of the said Kingdom of Ireland, to remain there likewise of Record.

And be it further Enacted, That immediately after every Undertaker, Heir or Assignee of any Undertaker shall have drawn his respective Lot, containing the Meadow, Arable and profitable Pasture, with all the Woods, Bogs, Loughs and barren Mountaines over and above, together with the Houses and Edifices thereupon, which shall be appointed for his share, such Undertaker, Heir and Assignee shall be, and so shall be adjudged to be by vertue of this Act, in the actual possession and seisin of all the said Lands, with all things thereunto belonging mentioned in his said Lot, and that he shall and may forthwith after his Lot so drawn as aforesaid, enter upon, have & enjoy to him and his heirs, All and singular the Meadow, Arable, profitable Pasture, Woods, Bogs, Loughs, Waters, Fishings and barren Mountains, together with the Houses and Edifices thereupon, and in his said Lot contained, with all Easements and Commodities thereunto belonging.

And be it further Enacted by the Authority aforesaid, That all and every person and persons which within three moneths after the allotment so to be made as aforesaid, shall have one thousand Acres or more of the said two millions and half of Acres, lying together in the Province of Leinster, or two thousand Acres or more lying together in the Province of Conaght or one thousand five hundred Acres or more lying together in the Province of Munster;

ſter, or three thouſand Acres or more, lying together in the Province of Ulſter, ſhall have power by vertue of this Act for every ſuch thouſand, two thouſand, fifteen hundred, and three thouſand Acres, to create a Manor within the limits of the ſaid Lands reſpectively, and to reſerve Tenures to hold of himſelf and his heirs, as of his ſaid Manor or Manors at his will and pleaſure: And that every ſuch perſon ſhall have a Court Leet and Court Baron, and ſhall have full power to hold a Court Leet and Court Baron within the Precincts of every ſuch Manor, and to enjoy all ſuch Royalties, Franchiſes, Fines and Amerciaments, Suits, Services and Immunities, as to View of Frank pledge or Court Baron is uſual and belonging: And alſo within each reſpective Manor to have and enjoy as aforeſaid, All Weodands, Felons goods and goods of Felons, of themſelves, together with all Wayfs and Strays.

And be it further Enacted by the Authority aforeſaid, That no part of the money which ſhall be paid in according to this Act, ſhall be imployed to any other purpoſe then the reducing of the ſaid Rebels, until the ſaid Rebels ſhall be Declared to be ſubdued by the ſaid Lords and Commons as aforeſaid: And that the ſaid moneys ſhall be imployed for the ſpeedy and effectual ſubduing of the ſaid Rebels, by ſending over into the ſaid Realm of Ireland, and diſpoſing there ſuch Forces of Foot and Horſe, Moneys, Ammunition, Victual and all other things neceſſary to a War, in ſuch maner as the ſaid Lords and Commons in Parliament ſhall from time to time direct, and the overplus of the ſaid money, if any ſhall be, to be

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disposed as the said Lords and Commons shall likewise direct.

And be it likewise Enacted by the Authority aforesaid, That Plantations shall be regulated, Corporations created, Churches erected, and Preaching Ministers maintained within the Limits and Precincts of the Lands so to be divided, in such maner as by Commissioners to be nominated and directed by the said Lords and Commons in Parliament shall be Ordered and Provided.

And it is further Enacted, That the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being shall upon direction to him given by the said Lords and Commons in Parliament, issue out one or more Commissions for this purpose, directed to such persons and in such maner as the said Lords and Commons in Parliament shall order and appoint.

And for the further encouraging and securing of all such persons as shall pay any sum of money towards the perfecting of this great work, Be it likewise Enacted by the Authority aforesaid, That all patents which shall be granted of any of the said Rebels Goods or Lands, or of any Goods or Lands forfeited by vertue of this Act, and all Pardons which shall be granted to any of the said Rebels before Attainder, after the three and twentieth of October One thousand six hundred forty and one (without the assent of the said Lords and Commons in Parliament) shall be adjudged void and of none effect.

And be it further Enacted by the Authority aforesaid, That the Commissioners authorized by this Act to set forth the Underwriters

Lands

Lands as aforesaid, shall forty days before they set forth the same or any part thereof, cause Proclamations to be made by vertue of this Act, in every County of the said Kingdom of Ireland to this effect, (viz.) That every person which had any right, title or interest the three and twentieth of October, One thousand six hundred forty one, in or out of any of the said Rebels Lands or the Lands forfeited by this Act, lying within the County where any such Proclamation shall be made, shall enter his claim to the same upon Record in his Majesties Court of Chancery in the said Kingdom of Ireland, within twenty days after the said Proclamation so made in the said County.

And be it further Enacted by the authority aforesaid, That every person which after the first day of March, One thousand six hundred forty, shall make, enter into or take any Compact, Bond, Covenant, Oath, Promise or Agreement to introduce or bring into the said Realm of Ireland the authority of the See of Rome in any case whatsoever, or to maintain or defend the same, shall by vertue of this Act forfeit to his Majesty, his Heirs and Successors, all his Lands, Tenements and Hereditaments intailed or not entailed, Goods and Chattels which he had or shall have in his own name or any other person or persons had or shall have in trust for him, at the time of the making, entring into or taking any such Compact, Bond, Covenant, Oath, Promise or Agreement, other then such Lands, Tenements, Hereditaments, Goods and Chattels, as shall be bona fide, and for valuable consideration sold before the said three and twentieth of October, One thousand six hundred forty one.

And

And further be it Enacted by the Authority aforesaid, That if any person since the three and twentieth day of October, One thousand six hundred forty one, be or hereafter shall be in Rebellion within the said Kingdom of Ireland and be dead, or shall die before attainder or pardon for the same, All the Lands, Tenements and Hereditaments, Estate or Estates, Goods or Chattels which such person had or shall have, or any other person had or shall have in trust for or to his use, the said three and twentieth of October, or at any time thereafter, shall be by vertue of this Act forfeited to his Majesty, his Heirs and Successors, and shall be adjudged to be in the actual seisin and possession of the King, his Heirs and Successors by vertue of this Act.

And further be it Enacted by the Authority aforesaid, That all Lands, Tenements and Hereditaments whereof any person in the said Kingdom of Ireland was seised the three and twentieth of October, One thousand six hundred forty one, or at any time after, shall be seised of any Estate, Tail, or whereof any other person or persons shall be seised in trust for him for any trust of Inheritance, who shall be attainted of high Treason in his life time, or being in actual Rebellion shall die before he be attainted or pardoned for the same, or who shall make, enter into or take any such Compact, Bond, Covenant, Oath, Promise or Agreement to such purpose as aforesaid, shall by vertue of this Act be, and adjudged to be in the actual seisin and possession of the King, his Heirs and Successors.

And be it further Enacted by the Authority aforesaid, That if any person or persons whatsoever,

ſoever, that at any time hereafter ſhall be attainted for Treaſon, or ſhall die in actual Rebellion before attaindor or pardon of the ſame, or hath, or ſhall take, enter into or make any ſuch Compact, Bond, Covenant, Oath, Promiſe or Agreement as aforeſaid, ſhall after the firſt day of March, One thouſand ſix hundred and forty, make or hath made any Conveyance or Aſſurance whatſoever, of any Manors, Lands, Tenements or Hereditaments in the Kingdom of Ireland, unto or for his own uſe, or unto or for the uſe of his Wife or any of his children, or in truſt for himſelf, his Wife or any of his children, That then all the Uſes, Eſtates and Truſts ſo limited, other then ſuch as are or ſhall bona fide be made before his, her or their marriage, or made in performance of any Covenant in Writing made before marriage, unto or for the uſe of his Wife or children, ſhall be forfeited unto his Majeſty, his heirs and Succeſſors, and ſhall be adjudged to be by vertue of this Act in the actual poſſeſſion of the King, his heirs and Succeſſors.

And be it further Enacted by the authority aforeſaid, in regard a great part of the time prefixed in the ſaid Propoſitions for the Subſcriptions of the ſaid Underwriters is already elapſed, That every one of the Kings Subjects of the Realms of England, Scotland or Ireland, that ſhall underwrite within this Kingdom the Sum of ten Pounds or more for the purpoſe aforeſaid, before the firſt day of May, One thouſand ſix hundred forty two, and before the ſaid Million of Money to be underwritten, and ſhall pay in one moiety thereof to the reſpective Receivers before nominated in this Act at the time of ſuch Subſcription, and

ſhall

ſhall pay in the other moiety reſidue thereof to the ſaid Receivers within ſix Moneths after ſuch Subſcription: And every one of the Kings Subjects of the Realms of England, Scotland and Ireland, that ſhall underwrite the ſum of ſix Pounds or more, within the Realm of Ireland for the purpoſe aforeſaid (in one or more Books to be kept for that purpoſe by the Treaſurer of the Army there for the time being) who is authorized and required hereby to keep ſuch Book or Books, and to enter the Names of ſuch Underwriters, and the time of ſuch Subſcriptions, together with the Sums ſubſcribed before the Firſt day of July, One thouſand ſix hundred forty two, and before the ſaid million of Money ſhall be underwritten, and ſhall at the time of ſuch Subſcription pay one moiety of ſuch Sum ſo to be underwritten to the ſaid Treaſurer for the time being (who is hereby likewiſe authorized to receive all ſuch Sums of Money and give Receipts for the ſame under his hand) and ſhall pay to the ſaid Treaſurer the other moiety reſidue within ſix Moneths after ſuch Subſcription, every perſon ſo underwriting in this Realm, or in the Realm of Ireland as aforeſaid, ſhall have a proportionable ſhare of the ſaid Rebels Lands and of other Lands to be forfeited by this Act, according to the Sum to be underwritten and paid in as aforeſaid, and as if ſuch perſon had underwritten within the times mentioned in the ſaid Propoſitions, and had paid in his money accordingly.

And for the better advancing of a ſpeedy Plantation within that Kingdom, which will ſoon redound to the great increaſe of his Majeſties Cuſtoms and Revenues there, Be it further

further Enacted by the Authority aforesaid, That every person which shall have any part of the said Lands so to be divided and allotted as aforesaid, shall and may export out of this Kingdom or Dominion of Wales, any Horses, Mares, Cattel, Sheep or other Goods for the planting, improving and stocking of the said Lands or any part thereof, at any time during the space of two years, to be accounted from such Division and Allotment to be made (as aforesaid) without paying any Custom, Subsidy or Impost for the same: Nevertheless, upon sufficient security given to the Farmers or Collectors of his Majesties Customs for the time being, or to any one of them, that the said Horses, Mares, Cattel, Sheep and Goods so to be exported, shall be bona fide employed for the planting, improving and stocking of the said Lands or of some part thereof, and not to be imployed to any other purpose; Saving to all and singular persons, bodies Politique and Corporate, their Heirs and Successors, and the Heirs and Successors of every of them (other then the said Rebels, their Aiders, Abettors, Comforters and Maintainers, and other persons, whose Lands are or shall be forfeited by this Act, and every of them, their and every of their Heirs and Assigns; and all and every person or persons claiming, by, from, or under them or any of them, or to their or any of their use or uses, or in trust for them or any of them since the said Three and twentieth day of October) all such Right, Title, Interest, Possession, Reversion, Remainder, Offices, Annuities, Rents and Commons, which they or any of them had or ought to have had in, to, or out of any the said

ſaid Houſes, Manors Caſtles, Lands, Tenements, Hereditaments or Premiſes forfeited by this Act, or any of them, the three and twentieth day of October, in the year of our Lord God, One thouſand ſix hundred forty one, ſo as every ſuch perſon or perſons, bodies Politique or Corporate whoſe Right or Intereſt is ſaved by this Act, their Heirs or Succeſſors do make or enter, or cauſe to be entred, his or their claim to any ſuch Right, Title or Intereſt, in his Majeſties Court of Chancery in Ireland, within twenty days after ſuch Proclamation made as aforeſaid.

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## *Anno XVIII. Caroli Regis.*

An Act for Adding unto and Explaining of certain Clauſes in another Act made this Parliament, Entituled, *An Act for the ſpeedy and effectual reducing of the Rebels in his Majeſties Kingdom in* Ireland *to their due Obedience to his Majeſty and the Crown of* England.

WHereas the ſaid Act could not be ſo timely paſſed and publiſhed, that his Majeſties Subjects in and about the City of London might conveniently take notice of the days therein limited for their underwriting according to that Act, upon which and other Clauſes of the ſaid Act, doubts have been raiſed; For explanation thereof, and for the clear ſatisfaction of all ſuch perſons as by underwriting any Sums of Money according to that Act, ſhall advance ſo honorable and pious a work as the reducing of that Kingdom;

Be it Enacted by the King our Soveraign Lord, and by the Lords and Commons in this

present Parliament assembled, and by the Authority of the same, That all and every his Majesties Subjects inhabiting or residing within the said City of London, or within three-score miles distance thereof, which at any time before the Twentieth day of April in the year of our Lord God, One thousand six hundred forty two, have underwritten or shall underwrite any such Sum of Money as in the said Act is mentioned, and pay the fourth part thereof on or before the said Twentieth day of April aforesaid, and the other three parts of the Sum or Sums so to be subscribed within three Moneths, three Moneths and three Moneths by equal portions, accounting Eight and twenty days to every Moneth, to be accounted to begin from the said Twentieth day of April aforesaid, and all the said Sums to be paid at the Chamber of the City of London, to the four persons appointed to attend there by the said Act, or to any two of them, who are hereby authorized and required to give Receipts for the same, and to enter the said Sum and the times of such Subscription as aforesaid; And all and every his Majesties Subjects inhabiting sixty miles or more from the said City of London, and all and every his Majesties Subjects of the Scotch Nation, which at any time before the Tenth day of May in the year of our Lord God, One thousand six hundred forty two, have underwritten or shall underwrite any such sum of Money as in the said Act is mentioned, and pay the fourth part thereof on or before the said Tenth day of May aforesaid, and the other three parts of the Sum or Sums so to be subscribed within three Moneths, three Moneths, and three Moneths

by equal portions, accounting Eight and twenty days to every Moneth, to be accounted to begin from the said Tenth day of May aforesaid; and at such place, and to such persons as in and by the said Act is appointed, shall have a proportionable share of the said Rebels Lands, and of other Lands forfeited and to be forfeited by the said Act, according to the Sums to be by them underwritten and paid in as aforesaid, under all other the Conditions and Limitations in the said Act, or Propositions mentioned, to all intents and purposes, and in as large and beneficial maner, as if such underwritting had been at the days in the said recited Act or the Propositions therein expressed, Any thing therein contained to the contrary notwithstanding.

And be it further Declared and Enacted by the Authority aforesaid, That all such persons of the Dutch Nation being Protestants, and Subjects to the Government of the States of the United Provinces of the Low-Countreys as shall be desirous to underwrite any Sum or Sums of Money according to the said Act, shall be admitted to such underwritting until the full Sum of Two hundred thousand Pounds shall be by them underwritten; And so as the million of Money propounded to be underwritten by his Majesties Subjects of England, Scotland and Ireland be not subscribed before the admittance of any of the said Dutch Nation to subscribe as aforesaid: And that such of the said Duch Nation as shall be admitted to underwrite according to this Act, shall underwrite their several Sums of Money within this Kingdom before the Tenth day of May, in the year of our Lord God, One

thousand

thousand six hundred forty two, and shall pay the fourth part of the Sum and Sums to be by them underwritten, at or before the said Tenth day of May aforesaid, and the other three parts of the Sum or Sums so to be subscribed, within three Moneths, three Moneths, and three Moneths, by equal portions, accounting Eight and twenty days to every Moneth, to be reckoned to begin from the said Tenth day of May aforesaid: And all the said Sums to be paid at the Chamber of the City of London to the four persons appointed to attend there by the said Act, or to any two of them; which said four persons, or any two of them are hereby authorized and required to give Receipts for the same, and to enter the said sums and times of subscription as aforesaid; and upon such underwriting and payment as aforesaid, shall have a proportionable share of the said Rebels Lands, and of other Lands forfeited and to be forfeited by the said Act, according to the Sums to be by them underwritten and paid in as aforesaid, under all other the Conditions and Limitations in the said Act, or Propositions mentioned, to all intents and purposes, and in as large and beneficial maner as his Majesties Subjects of England shall or may enjoy their several and respective shares according to the said Act.

And be it further Enacted by the Authority aforesaid, That in case any person that shall underwrite according to this Act, their Heirs, Executors, Administrators or Assigns shall pay in the three latter payments of the Sums of Money by them subscribed or to be subscribed, or any part thereof, sooner then the times in this present Act limited for the same, there shall

shall be rebated and allowed unto them by way of rebate so much of the said Moneys underwritten as the Interest of the said Money so paid in beforehand, from thenceforth to the time and times respectively whereon the same is by this present Act limited to be paid, after the rate of Eight Pounds for one Hundred Pounds for a year shall amount unto: And John Warner, John Towse, Thomas Andrews and Lawrence Haulstead in the said recited Act named, or any two of them, are hereby authorized and required to make the said Allowances by way of rebate accordingly, and the same shall upon their Accompts be allowed unto them; And the said Money so rebated shall be accompted and adjudged to be paid by the said Underwriters, their Heirs, Executors, Administrators or Assigns, and shall be as beneficial unto them, as if the same had been actually paid according to the Propositions in the said recited Act mentioned.

And be it further Enacted by the Authority aforesaid, That the Members of either House of Parliament, which shall underwrite any Sums of Money, and pay in the same or any part thereof at the Chamber of the City of London, shall nevertheless have the same days and times of payment for their several Sums by them underwritten or to be underwritten, as they should have had in case they had subscribed their several Sums, and paid in the same in the several Counties where they had their ordinary residence and habitation before the beginning of this Parliament.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said John Warner, John Towse, and

such other persons as are appointed by the said Act to receive such Sums of Money as shall be paid in by vertue of that Act, to deduct and retain to their own use one Peny out of every Pound of all such Sums of Money as they shall receive according to this Act, towards their Charges and Paines in attending and receiving the said Subscriptions and Sums of Money, and in issuing out and returning up the same.

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## *Anno XVIII. Caroli Regis.*

An Act to inable Corporations and Bodies Politique to participate of the benefit of an Act lately passed, Entituled, *An Act for the speedy and effectual Reducing of the Rebels in his Majesties Kingdom of* Ireland *to their due Obedience to his Majesty and the Crown of* England.

WHereas divers of his Majesties well-affected Subjects of this Kingdom have taken notice of the said Act, and are willing to contribute to so good a Work, according to their several Estates and Abilities, but every person in himself is not able to undertake any great Sum of money, yet many of them united and incorporated into one Body, Company or Society, may by joyning together make up a considerable intire Sum, which may very much advance so Honorable and Pious a Work as the reducing of that Kingdom of Ireland:

And also for the better inabling of all Corporations and Bodies Politique throughout this Kingdom to be Adventurers and Undertakers in the same; Be it Enacted by the King our

our Soveraign Lord, and by the Lords and Commons in this Parliament assembled, and the Authority of the same, That all and every Cities, Boroughs and other Towns Corporate, which have perpetual Communalty and Succession, being within sixty miles of London; And all and every Companies, Guilds and Fraternities of any Craft, Mystery or Trade, united and incorporated within the said City of London, or within any other City within threescore miles distance thereof, which at any time before the Twentieth day of May, in the year of our Lord God, One thousand six hundred forty two, by their Citizens, or Burgesses, or by any one of them respectively, for that place which he serveth in this present Parliament, or by their Maior, Bayliff, Master, Warden, or other Head-Officer of any the said Cities, Boroughs, Towns Corporate, Companies, Guilds or Fraternities aforesaid, shall underwrite any Sum of money, as in the said Act is mentioned, and pay the fourth part thereof, on or before the said Twentieth day of May aforesaid, and the other three parts of the Sum or Sums so to be subscribed within three Moneths, three Moneths, and three Moneths, by equal portions, accounting Eight and twenty days to every Moneth, to be accounted to begin from the said Twentieth day of May aforesaid: And all the said Sums to be paid at the Chamber of the City of London, to the four persons appointed to attend there by the said Act, or to any two of them, who are hereby authorized and required to give Receipts for the same, and to enter the said Sum, and the times of such Subscription as aforesaid: And all and every Cities, Boroughs,

and

and other Towns Corporate within the Kingdom of England, which have perpetual Communalty and Succession, being threescore miles or more from the said City of London; And all Companies, Guilds, and Fraternities of any Craft, Mystery or Trade, united and incorporated within any of the said Cities, which at any time before the last day of May, in the year of our Lord God, One thousand six hundred forty two, shall by their Citizens or Burgesses, or by any one of them respectively, for that place which he serveth in this present Parliament, or by their Major, Bayliff, Master, Warden, or other Head Officer of any of the said Cities, Boroughs, Towns Corporate, Companies, Guilds or Fraternities aforesaid, underwrite any such Sum of Money as in the said Act is mentioned, and pay the fourth part thereof on or before the said last day of May aforesaid; And the other three parts of the said sum or sums so to be subscribed within three Moneths, three Moneths, and three Moneths, by equal portions, accounting Eight and twenty days to every Moneth, to be accounted to begin from the said last day of May aforesaid, and at such place and to such persons as in and by the said Act is appointed, shall have a proportionable share of the said Rebels Lands, and of other Lands forfeited and to be forfeited by the said Act, according to the Sums to be by them underwritten and paid in as aforesaid, under all other the Conditions and Limitations in the said Act, or Propositions mentioned, to all intents and purposes, and in as large and beneficial maner as if such underwriting had been at the days in the said recited Act, or the Propositions therein

therein expreſſed, Any thing therein contained, or any thing in the Statute made the Fifteenth year of King Richard the Second, Entituled, Aſſurance of Lands to certain Places, Perſons and Uſes ſhall be adjudged Mortmain, or any thing in any other Statute of Mortmain whatſoever contained to the contrary notwithſtanding.

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## *Anno XVIII. Caroli Regis.*

An Act for the further Advancement of an effectual and ſpeedy Reduction of the Rebels in *Ireland* to the Obedience of his Majeſty and the Crown of *England*.

WHereas in purſuance of three ſeveral Acts of Parliament made this preſent Seſſion, (the firſt Entituled, An Act for the ſpeedy and effectual Reducing of the Rebels in his Majeſties Kingdom of *Ireland* to their due Obedience to his Majeſty and to the Crown of *England*: And the ſecond Entituled, An Act for adding unto and explaining of certain Clauſes in another Act made this Parliament, Entituled, An Act for the ſpeedy and effectual Reducing of the Rebels in his Majeſties Kingdom of *Ireland* to their due Obedience to his Majeſty and the Crown of *England*: And the third Entituled, An Act to inable Corporations and Bodies Politique to participate of the benefit of an Act lately paſt, Entituled, An Act for the ſpeedy and effectual Reducing of the Rebels in his Majeſties Kingdom of *Ireland* to their due Obedience to his Majeſty and the Crown of *England*) divers great ſumms of money have been ſubſcribed, ſome part whereof is already paid in to the purpoſes and perſons mentioned in the ſaid Acts, and divers other well-affected perſons, Bodies Politique and Corporate, would ſubſcribe and pay in di-

vers great Sums of Money for the purposes and intents in the said Acts expressed, if the times limited in the said Acts for subscribing and paying in of the same were not already elapsed.

Be it therefore Enacted by the King our Soveraign Lord and by the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That all and every person and persons of the English, Scotish, Irish or Dutch Nation, being Protestants in Religion, and every Body Politique and Corporate of this Realm, which at any time before the Twentieth day of July, in the year of our Lord, One thousand six hundred forty two, shall underwrite or cause to be underwritten, to the intents and purposes in all or any the said Acts mentioned, any Sum of Money not being under the Sum of Ten Pounds, and shall pay or cause to be paid the fourth part thereof, on or before the said Twentieth day of July, and the other three parts of the sum or sums so to be underwritten within three moneths, three moneths and three moneths, by equal portions, accounting Eight and twenty days to every moneth, to be accounted to begin from the Twentieth of July aforesaid; And all the said Sums to be underwritten at the Chamber of the City of London, and to be paid to the four persons appointed to attend there by the said Acts, or to any two of them, who are hereby authorized and required to give Receipts for the same, and to enter the said Sums and times of such subscription as aforesaid, shall have to all and every such person and persons, Bodies Politique and Corporate, their Heirs, Successors or Assigns respectively,

ſpectively, a proportionable ſhare of the Rebels Lands, and of other Lands forfeited or to be forfeited by all or any of the ſaid Acts, according to the Sums to be by him or them underwritten and paid in as aforeſaid, under all other the Conditions, Limitations and Proviſions which in all or any of the ſaid Acts are expreſſed, and in as large and beneficial maner to all intents and purpoſes, as if ſuch underwriting and payment had been at the days in the ſaid Acts or either of them appointed or expreſſed: And the better to invite all well-affected perſons, Bodies Politique and Corporate to the bringing in of preſent money for this ſervice, which will be the moſt effectual means under God for the ſpeedy ſubduing of the ſaid Rebels;

Be it therefore Enacted by the Authority aforeſaid, That all and every perſon and perſons of the Engliſh, Scotiſh, Iriſh or Dutch Nation, being of the Proteſtant Religion, and every Body Politique or Corporate in this Realm, which hath at any time heretofore underwritten, or have cauſed to be underwritten, or ſhall underwrite or cauſe to be underwritten any Sum of Money to the purpoſes in all or any of the ſaid Acts mentioned, and hath or ſhall have, according to the times and places in the ſaid Acts limited, paid in a fourth or more of the ſame, and ſhall pay in or cauſe to be paid in the reſidue of the Sum ſo underwritten before the ſaid Twentieth day of July; And every ſuch perſon or Body Politique which ſhall underwrite or cauſe to be underwritten to the purpoſes aforeſaid, any Sum of Money by vertue of this Act at the ſaid Chamber of London, and ſhall pay in or cauſe

to

to be paid in the whole Sum, which he or they shall so underwrite or cause to be underwritten unto the said four persons or any two of them, who are to give Receipts for the same as aforesaid, and to enter the Sums and times of subscription before the said Twentieth of July, shall have to all and every such person and persons, Bodies Politique and Corporate, their heirs, successors and assigns respectively, a proportionable number of Acres out of the two millions and half of Acres in the said former Act mentioned, with Woods, Bogs, Loughs and barren Mountains cast in over and above, with the Houses and Edifices thereupon built, according to the Sum so underwritten and paid in, which said proportionable number of Acres shall be measured out and enjoyed according to the Plantation measure (that is to say) every Acre thereof shall consist of eightscore Pearches or Poles, and every Pearch or Pole shall consist of one and twenty Foot, and shall enjoy the said proportionable number of Acres under the same Conditions, Limitations and Provisions, in as large and beneficial maner, to all intents and purposes, as any other underwriter which shall pay in his Money underwritten at four payments, shall enjoy his proportionable number of English Acres, Any thing in the said Acts or either of them contained to the contrary notwithstanding. And whereas the two millions and half of Acres mentioned in the said first recited Act, to be for the satisfaction of such persons as shall underwrite and pay in any Sum of Money according to the said first recited Act or Propositions mentioned in the said first recited Act, are to consist of

English

English measure: Now to the intent that all such well affected persons, Bodies Politique and Corporate as have underwritten or shall underwrite, or have caused or shall cause to be underwritten to the purposes, in all or any of the said Acts expressed, any Sum of Money, and shall pay in or cause to be paid in, all their Sums which are or shall be so underwritten as aforesaid, before the said Twentieth of July, may have Lands sufficient to give them satisfaction, according to the proportion of one and twenty Foot to the Pole for every Acre.

Therefore be it Enacted, That every Acre of the said two millions and half of Acres shall consist of eightscore Pearches or Poles, and every Pearch or Pole shall consist of one and twenty Foot; And all the said two millions and half of Acres shall be measured forth out of the said Rebels Lands, and the other Lands forfeited by the said first recited Act, according to that measure, Any thing in the said Propositions, or in the said Acts contained to the contrary notwithstanding.

Provided nevertheless, That all and every person and persons, Bodies Politique and Corporate which have underwritten or shall underwrite, or have caused or shall cause any other to underwrite for him or them any Sum of Money to the purposes aforesaid, and have paid or shall pay in their Moneys according to the said recited Acts, or according to the times limited in the first Clause of this Act, and shall not pay in all their respective Sums underwritten or to be underwritten as aforesaid, before the said Twentieth of July, shall have their proportionable number of Acres according to the English measure, viz. consisting of

sixteen Foot and an half to the Pole, and no other or greater measure, Any thing in this Act contained to the contrary notwithstanding.

Provided also, and be it Enacted by the Authority aforesaid, That no person, Body Politique or Corporate, which hath paid in any Sum of Money according to the said Acts or any of them, by way of Rebate, shall have any advantage of this Act, unless such person, Body Politique or Corporate, shall repay or cause to be repaid before the said Twentieth of July, to the said four persons or any two of them, who are to give Receipts for the same, the Sum so to him or them formerly Rebated, Any thing in this Act contained to the contrary notwithstanding.

And be it lastly Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said four Receivers, or any two of them, to deduct and retain to their own use, out of every Pound of all such sums of Money as they shall receive according to this Act, towards their Charges and Pains in attending and receiving the said Subscriptions and Sums of Money, and in issuing out of the same.

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14. *July*, 1643.

An Ordinance or Declaration of the Lords and Commons Assembled in Parliament, for the encouragement of Adventurers to make new Subscriptions for Towns, Cities and Lands in IRELAND.

The Lords and Commons in Parliament having taken into their serious consideration the sad condition of the Realm of Ireland,

and

and of what ill consequence the loss of that Kingdom would be to this, both in respect of Religion and otherwise, have lately by their Declaration of the 17th of June One thousand six hundred forty three, in particulars set forth and Declared unto the World the extreme wants and necessities thereof; And finding many well affected persons both Adventurers for Lands in Ireland, and others very ready and willing to apply themselves by all good means to bring that great good work unto perfection: And forasmuch as the Subscriptions upon the several Acts of Parliament heretofore made this Session, do not engage a third part of the Land designed to be applied to that work by those Acts, and the times in them limited for under Writing being elapsed, and to make up what was wanting in the former Subscriptions, as for to raise considerable sums of money for maintenance of the Armies there on foot, and relief of the poor distressed Protestants there, the reducing of those Rebels to their Obedience, and setling of the State of that Government in Peace again, have now Ordained and Declared, That whatsoever person and persons, Corporations and Bodies Politique, which at any time or times heretofore have subscribed and paid in any sum or sums of Money, for an Adventure of Lands of the said Rebels Lands in Ireland forfeited and to be forfeited, and conveniate according to all and every or any the Act and Acts of Parliament as aforesaid, heretofore made and Enacted upon the late Ordinance of Parliament of the Thirtieth of January One thousand six hundred forty two, made for raising Loans and Contributions for the relief of Ire-

land;

land; And that shall now again subscribe and pay in to Mr. James Bunce, Mr. Thomas Foot, Mr. John Kendrick of London, Aldermen, and to Samuel Avery Esq; Treasurers appointed for that service, or their Assigns, so much money as shall amount unto a full fourth part of such sum and sums of Money as they or any of them have formerly subscribed and paid in upon any the said former Acts and Ordinance in maner and form following, viz. One third part thereof within ten days next after they shall so subscribe the said fourth part, one other third part within one moneth then next ensuing, and the other third part thereof within two moneths then next and immediately following, so as the whole Adventure is to be paid in within three moneths; And the said sum or sums of Money now to be thus underwritten and paid in to the Treasurers aforesaid as aforesaid, being added to and reckoned up together with the said sum and sums of Money which they have so formerly underwritten and paid in upon the said Acts and Ordinance, or upon both or either of them, shall have a double proportion of Lands for the whole, twice so much Land as he or they were formerly to have had, by and according to the said Acts or Ordinance, and Irish measure, viz. Every Acre thereof to consist of eightscore Pearches or Poles, and every Pearch or Pole to consist of one and twenty foot; And under the same Rents and Services, Conditions, Limitations and Provisions, and in as large and beneficial maner and form, to all intents and purposes whatsoever, as in and by the said Acts of Parliament and Ordinance aforesaid is limited and expressed; And the Acquittance

tance and Acquittances under the hands of the ſaid Treaſurers or of any two of them, ſhall be ſufficient and effectual to enable the ſaid Subſcribers and every of them, their Heirs or Aſſigns, to demand, have and enjoy the full fruit and benefit of their ſaid Subſcriptions, and ſhall be a good and ſufficient diſcharge for the Receipt of all and every ſuch other payment, ſum and ſums of Money, as ſhall be made and brought in by and upon any other propoſitions, Ways or means, for the relief or maintenance of the ſaid Army.

And if any ſuch perſon or perſons, Corporations or Bodies Politique, who have thus formerly Adventured for Lands in Ireland, and ſhall underwrite and pay in any more or other ſum or ſums of Money then this fourth part of his former Adventure ſhall amount unto; or if any other perſon or perſons as well of the Engliſh, Scotiſh or Dutch Nation under the Government of the Lords and States of the United Provinces, that ſhall now de novo ſubſcribe and pay in any ſum or ſums of Money for Lands, of the Rebels Lands, forfeited and to be forfeited as aforeſaid, ſhall have alike double proportion of Lands for the ſame, to be aſſigned and ſet out unto him and them in maner and form in all things as the Adventurers aforeſaid in the immediate foregoing Propoſition are to have theirs.

And the ſaid Lords and Commons, for the further content and ſatisfaction of the ſaid Adventurers, have alſo Ordained and Declared, and do hereby Ordain and Declare, That an Act and Acts of Parliament ſhall hereafter paſs both in England and Ireland, to make all the Lands and Tenements of the ſaid Rebels

forfeited and to be forfeited as aforesaid, or wherein they or their Ancestors, by themselves, their Tenants and Assigns, have been in actual Seisin and Possession, as the very Freeholders and Inheriters, or reputed Freeholders and Inheriters thereof for the space of sixty years before this Rebellion brake out there, being upon the Three and twentieth of October, One thousand six hundred forty one, alike liable to the Subscriptions and Plantations of the said Adventurers in every of the four Provinces of Leinster, Munster, Ulster and Connaught respectively without exception, and to vest his Majesty, his heirs and Successors from all Right, Title, Claim and Demand whatsoever of and into the same, Any Pardon or Pardons granted or to be granted to the said Rebels or any of them, either before or after Conviction or Attainder in any maner or sort whatsoever to the contrary in any wise notwithstanding.

And to give encouragement unto those who are Merchants and live on Trades, and all others, for to Adventure considerable sums of Money for Houses and Lands of the Rebels forfeited and to be forfeited there; And for to introduce a better Trade and Manufacture of the native Commodities of that Kingdom, when by the blessing of God that War shall come to be ended, and for the better Propagation of Religion and abolishing of Popery and Superstition out of that Land, and civilizing of that Kingdom, The said Lords and Commons have set out the City and Corporation of Limerick, with the Island of Enisscattery, and the Fishings of the River there, and twelve thousand Acres of Confiscated and Profitable Lands,

Lands, Meadow and Paſture, lying next contiguous and adjacent to the ſaid City round about, lying and being in the Province of Munſter, with Woods, Bogs and barren Mountains caſt in, to be hereafter granted and conveyed to ſuch perſon and perſons as aforeſaid, their heirs and Aſſigns, as ſhall now Adventure and Diſburſe Money for the ſame at the rate and valuation hereafter mentioned, viz. That ſhall diſburſe the ſum of thirty thouſand Pounds currant Money of England for the ſame, and paying the ſum of ſix hundred and twenty five Pounds yearly Rent to the Crown: And have Ordained and ſet out the City and Corporation of Waterford, lying and being in the ſaid Province of Munſter, with fifteen thouſand Acres of like forfeited and profitable Lands, Meadow and Paſture, Bogs, Woods and barren Mountains to be likewiſe caſt in, and lying contiguous and adjacent to the ſaid City, to be hereafter granted and conveyed to ſuch perſon and perſons as aforeſaid, their heirs and Aſſigns, as ſhall now Adventure and Diſburſe the ſum of thirty thouſand Pounds, and pay the like yearly Rent of ſix hundred and twenty five Pounds unto the Crown for the ſame: And have Ordained and ſet out the Town and Corporation of Galloway, lying and being in the Province of Connaught, with ten thouſand Acres of like forfeited profitable Land, Meadow and Paſture, with Woods, Bogs and barren Mountains to be caſt in, and to lie contiguous and adjacent to the ſaid Town and Corporation, to be in like maner granted and conveyed to ſuch perſon and perſons as aforeſaid, their heirs and Aſſigns, as ſhall now Adventure

and

and Disburse the Sum of Twenty five thousand Pounds for the same, and pay the yearly Rent of Five hundred and twenty Pounds to the Crown for the same: And have Ordained and set out the Town and Corporation of Wexford, lying and being in the Province of Leinster, with Six thousand Acres of like escheated profitable Lands, Meadow and Pasture, with Woods, Bogs and barren Mountains, to be cast in and to lie adjacent and contiguous to the said Town and Corporation, and to be likewise granted to such person and persons as aforesaid, their Heirs and Assigns, as shall now Adventure and Disburse the sum of Seven thousand five hundred Pounds for the same, and pay the yearly Rent and Fee-farm of One hundred fifty six Pounds four shillings and four pence to the Crown for the same; and all and every the same respectively to be holden of his Majesty in Free and Common Soccage, as of his Castle of Dublin in the said Realm, and every of them to be Incorporated again de novo, and to have such Liberties, Freedoms and Immunities granted unto them and every of them respectively, as are now granted to the City of Bristol in this Realm by any Charter or Charters whatsoever, and such other Privileges and Immunities as be contained and intended to the same Adventurers for Lands in Ireland in the Acts of Parliament aforesaid, for Subscriptions for Lands in that Realm.

And it is further Ordained and Declared by Authority aforesaid, That in case the respective Sums whereat the said Cities, Towns, Lands and Premises last mentioned aforesaid, are respectively valued and apprized, shall

ſhall not be Wholly underwritten for, yet then and in ſuch caſe all and every ſuch Underwriter and Underwriters as ſhall ſubſcribe any ſum or ſums of Money for to have any part or parcel thereof, ſhall have granted and conveyed unto him, his Heirs and Aſſigns, ſuch and ſo much in proportion thereof, as his and their Adventure and Adventures ſhall ſeverally and reſpectively amount unto, according to the ſaid reſpective valuations to be ſet out unto him and them by indifferent Commiſſioners by the ſaid Lords and Commons to be therefore hereafter named and appointed.

And the ſaid Lords and Commons do further Ordain and Declare, for a more clear and full Plantation of the ſaid Cities, Towns and Corporations, That all Chantry Lands, and Lands and Tenements given unto Superſtitious uſes, for maintenance of Popiſh Prieſts and Idolatrous Maſſes, Trentals, Dirges and the like: And all Lands and Tenements given for maintenance of Lazors and Lazarous people, and concealed in Poſſeſſion and Occupation of ſuch who are now or hereafter ſhall be Rebels, and have been by their Anceſtors enjoyed by many deſcents, and which ſhall not become forfeited by this Rebellion, ſhall be caſt into the Purchaſe and Purchaſes of the ſaid Cities and Towns reſpectively as parcel thereof, and ſhall by Act and Acts of Parliament hereafter to paſs in England and Ireland, be made as ſubject and liable to the ſaid Plantations, and for ſatisfying of the ſaid Adventurers their Subſcriptions, as any other the ſaid Rebels Lands forfeited and to be forfeited and confiſcate therein whatſoever: And all the Adventurers Eſtates in whatſo-

ever their Adventures for Lands and Tenements herein formerly mentioned, shall be in like maner hereafter secured unto them, and confirmed by Act and Acts of Parliament, to pass both in England and Ireland for the same end and purpose as aforesaid.

And it is further Ordained and Declared by Authority aforesaid, That all and every such person and persons as aforesaid, who have or shall underwrite any sum or sums of Money upon the said Propositions for any the Cities, Towns and Corporations aforesaid, and have formerly adventured and subscribed, or shall underwrite and subscribe for Lands in the Kingdom at large, shall be accommodated to have all his said Lands set out unto him as near unto those Cities, Towns and Corporations aforesaid, for which he shall so subscribe, as may be. Provided always, That no person or persons shall be admitted to subscribe upon, or for any of the said Cities, Towns and Corporations for a smaller Sum then twenty Pounds.

And it is further Ordained and Declared by Authority aforesaid, That all and every Officers and Commanders, in all or any the British Armies in Ireland, that shall and do continue in the said Service, and within six moneths next after the day of the date of this Ordinance, shall subscribe all or any part of such sum and sums of Money, as now is or shall grow due and owing unto him and them, or any of them, for his and their pay and entertainment, the same Subscriptions to be either taken and received here in such Way as is formerly directed for other Adventurers, or by and before the several Committee and Committees

mittees to be hereafter chosen and imployed by the House of Commons and this Committee into the several Provinces of that Kingdom for the better managing of that War, the same Subscriptions to be taken and recorded by them the said Committees respectively in their respective Provinces into which they shall be sent and imployed, to be afterwards returned to both Houses of Parliament, shall have and enjoy such proportion and proportions of Lands, or of Cities, Towns and Corporations for the sum and sums of Money to be subscribed, and in maner and form in all things as other the Adventurers herein aforesaid are for to have theirs granted and set out unto them by and according to the limitation of this present Ordinance.

And the said Lords and Commons do further Ordain and Declare, That it shall and may be lawful to and for the said Adventurers and every of them, now at the time of their subscribing for Lands again as aforesaid, or within one moneth afterwards, to make his and their respective choice and election, in which of the four Provinces aforesaid he or they desire to have his and their Adventure and Adventures of Lands to lie; And the said Treasurers receiving the same, declared under his and their hand and hands in writing in a Book as a Record thereof for that purpose to be kept, shall have the same set out unto him and them, his and their Heirs and Assigns, in such Province accordingly if it may be: Provided that such choice and setting forth as aforesaid do not prejudice the first Adventures whose lots shall fall in any of those Provinces.

And it is further Ordained and Declared by

by Authority aforesaid, That all and every such Moneys, Wares, Goods, Commodities, Arms or Ammunition, which either now are or which at any time hereafter shall be either lent or given by the English or Dutch Protestant Churches and Classes in Holland, Zealand, and other parts and places beyond the Seas, to whom this business and affair for the relief of Ireland hath been already or shall hereafter be recommended, shall be brought in to the Treasury aforesaid, or otherwise be ordered and disposed of by the said Committee for the Service aforesaid, in maner and sort as other the Moneys by them to be received is herein directed and appointed to be imployed.

And is it further Ordained and Declared by Authority aforesaid, That the Committee of the House of Commons and Adventurers in London aforesaid, or any Eight or more of them, shall and may by such Agents and Ministers as they shall therefore intrust and imploy, to communicate this Affair into whatsoever other parts and places of this Kingdom as they shall think fit, for taking Subscriptions and receiving of Money according to the several Propositions aforesaid, and according to all and every such other Propositions as for the Service aforesaid shall hereafter by both Houses of Parliament be made and Ordained; and that the said Committee or any Eight or more of them shall and may reward with fit reward and salaries, all such as they shall and do thus imploy, for the better proceeding in and carrying on the said Work, and to make, do and perform whatsoever other matters and things shall conduce and be necessary for the better proceeding of the business, as they the said Com-

Committee or any Eight or more of them ſhall from time to time order and appoint, being alwayes ready to give an accompt of their proceedings to both of Houſes of Parliament when they ſhall be thereunto required.

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## 13. *November*, 1647.

### An Ordinance for the Securing of Thirty thouſand Pounds to Adventurers that ſhall Advance it.

WHereas by an Ordinance of this preſent Parliament bearing date the fourteenth day of July, One thouſand ſix hundred forty three, it was Granted, Ordained and Declared, That all thoſe who ſhould advance one full Fourth part of their former Adventures for Lands in Ireland, or that ſhould de novo become Adventurers by advancing any ſum or ſums of Money, ſhould have a double proportion of Land, That is, twice ſo much as was granted by any of the preceding Acts or Ordinances of Parliament to Adventurers in that behalf; Now foraſmuch as the ſaid Ordinance being without limitation of time for ſuch advances to be made may much diſadvantage the State, the Lords and Commons in Parliament Aſſembled taking the ſame into conſideration, and to the end that Thirty Thouſand Pounds and no more Money may be advanced, by paying in one full Fourth part upon the ſaid Ordinance to have a double proportion of Land, as is therein expreſſed, do Ordain, and it is Ordained by the ſaid Lords and Commons, That the time limited for the coming in, Subſcription and Payment of any ſum of Money for a full

Fourth part of any the former Adventures for Lands in Ireland, or otherwise, upon the Ordinance of the Fourteenth of July, One thousand six hundred forty three, shall be within Twenty days next after the Passing and Printing of this present Ordinance, by all such persons, Corporations or Bodies Politique as are in London or within ten miles thereof, and the time limited shall be within Forty days after the passing and granting of this Ordinance for the coming in, Subscription and payment of any Money for a full Fourth part as aforesaid, by all other persons, Corporations or Bodies Politique of the first Adventurers for Land in Ireland that will advance and pay one full Fourth part thereupon or otherwise.

And it is further Ordained by the Authority aforesaid, That in case the said Thirty thousand Pounds shall not be advanced and paid within the said Forty days, as is before Declared, That then it shall and may be lawful for any person or persons whatsoever within seven days next after the expiration of the said Forty days, to advance and pay the full Fourth part of any the said first Adventures, whereunto the said Fourth part is or shall not be then added, and upon payment thereof shall have and take the advantage to himself which the said first Adventurer should or might have had by payment of the said full Fourth part by vertue of the said Ordinance of Parliament of the Fourteenth of July, One thousand six hundred forty three before mentioned: And whereas many of the first Adventurers intended to have paid in their whole Money according to their Subscription, within the times limited

limited for payment, but were hindred by reason of the then great Troubles and of the War in this Kingdom; It is therefore Ordained and Declared by the said Lords and Commons in Parliament Assembled, That all such Adventurers shall be admitted to make payment of their full Adventure and Subscription of Money, and to adde a full Fourth part thereunto of the said full Adventure and Subscription according to the said Ordinance of the Fourteenth of July, One thousand six hundred forty three, and upon payment thereof according to the several and respective limitation of lives before mentioned, and not otherwise, shall have and take the full benefit of the said Ordinance of the Fourteenth of July, One thousand six hundred forty three, for a double proportion of Land in Ireland, as is therein Declared, Any Act or Ordinance of Parliament to the contrary in any wise notwithstanding.

And it is also Ordained by the said Lords and Commons in Parliament, That all such coming in, Subscriptions or Payments of any Money, and the benefit or profit that may or should accrew thereupon, as shall be made in pursuance of the said Ordinance of Parliament of the Fourteenth of July, One thousand six hundred forty three, by any person or persons, or for any Corporations or Bodies Politique whatsoever, after the end and expiration of the said Seven days next coming after the Forty days before mentioned, are and shall be by vertue of this present Ordinance void and of none effect, and from thenceforth shall be accounted null and void, and to be so interpreted to all intents and purposes, Any thing in the

the said Ordinance to the contrary in any wise notwithstanding.

And it is hereby further Ordained, That the said Thirty thousand Pounds, or so much thereof as shall be advanced, shall be paid in unto Mr. Thomas Andrews, Mr. Thomas Foot, Mr. John Kendrick and Mr. Samuel Avery, Aldermen of the City of London, who are hereby appointed Treasurers for the said Service, and to issue forth the said Money as they shall be Ordered by both Houses of Parliament.

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*Die Lunæ, 13. Decemb. 1647.*

ORdered by the Lords and Commons Assembled in Parliament, That the time limited for the coming in of Subscriptions, and for Payment of any Sum of Money upon the Ordinance for a Fourth part of the Adventurers for Lands in *Ireland*, shall begin from the First of *December* 1647. being the time when the said Ordinance was first Printed and Published. It is also Ordered, That the said Ordinance be again Printed by Order of both Houses, with the former Vote annexed.

*Joh: Brown Cleric, Parliamentorum.*

*Ed: Elsynge, Cler. Parl. D. Com.*

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FINIS.

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